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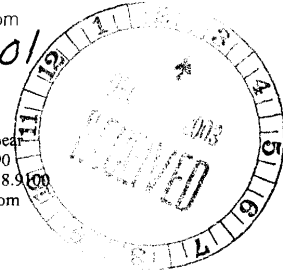
Kirkpatrick & Lockhart LLP

1800 Massachusetts Avenue, NW
Suite 200
Washington, DC 20036-1221
202.778.9000
www.kl.com

December 29, 2003

DID# 01031230001001

Tracie D. Spear
202.778.9390
Fax: 202.778.9100
tspear@kl.com



BY HAND DELIVERY

FILED

The Honorable Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423-0001

DEC 29 2003

SURFACE
TRANSPORTATION BOARD

ENTERED
Office of Proceedings

DEC 30 2003

Part of
Public Record

Re: STB Docket No. Ab-444 (Sub-No. 1X)
Lamoille Valley Railroad Company — Abandonment and
Discontinuance Exemption — In Caledonia, Washington, Orleans,
Lamoille and Franklin Counties, Vermont

Dear Secretary Williams:

Enclosed for filing in the above-captioned proceeding are an original and ten copies of the **Verified Notice of Exemption of Lamoille Valley Railroad Company**. A check in the amount of \$2,800.00, representing the appropriate fee for the Notice of Exemption, is enclosed.

Should any questions arise regarding this filing, please feel free to contact me. Thank you for your assistance in this matter.

Respectfully submitted,

FEE RECEIVED

DEC 29 2003

Tracie D. Spear
Attorney for Lamoille Valley Railroad
Company

SURFACE

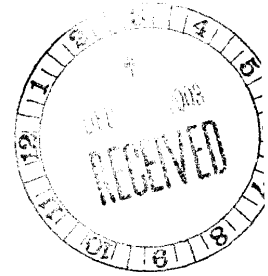
TRANSPORTATION BOARD

Enclosures

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-444 (SUB-NO. 1X)

LAMOILLE VALLEY RAILROAD COMPANY
-- ABANDONMENT AND DISCONTINUANCE EXEMPTION --
IN CALEDONIA, WASHINGTON, ORLEANS, LAMOILLE
AND FRANKLIN COUNTIES, VERMONT



VERIFIED NOTICE OF EXEMPTION

Edward J. Fishman, Esq.
Tracie D. Spear, Esq.
Kirkpatrick & Lockhart LLP
1800 Massachusetts Avenue
Second Floor
Washington, DC 20036
(202) 778-9000

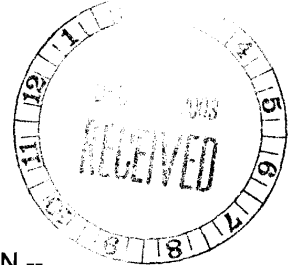
**ATTORNEYS FOR LAMOILLE VALLEY
RAILROAD COMPANY**

Dated: December 29, 2003

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-444 (SUB-NO. 1X)

LAMOILLE VALLEY RAILROAD COMPANY
-- ABANDONMENT AND DISCONTINUANCE EXEMPTION --
IN CALEDONIA, WASHINGTON, ORLEANS, LAMOILLE
AND FRANKLIN COUNTIES, VERMONT



VERIFIED NOTICE OF EXEMPTION

Lamoille Valley Railroad Company ("LVRC") hereby files this Verified Notice of Exemption pursuant to 49 C.F.R. § 1152.50 for the abandonment of approximately 96.78 route miles of rail line in Caledonia, Washington, Orleans, Lamoille and Franklin Counties, Vermont. LVRC seeks to abandon: (1) a certain railroad right-of-way located between approximately milepost 0.057 (SJLC valuation station 3+00) in St. Johnsbury, VT and approximately milepost 95.324 (SJLC valuation station 5033+10) in Swanton, Vermont, a distance of approximately 95.26 miles; and (2) the Hardwick and Woodbury ("H&W") Connecting Track between approximately H&W valuation station 0+00 (Granite Junction) and approximately H&W valuation station 80+48 (Buffalo Road), a distance of approximately 1.52 miles, in Hardwick, Vermont (collectively, the "Subject Line").¹

¹ The Subject Line is owned by the State of Vermont ("Vermont") by and through the State of Vermont Agency of Transportation ("VAOT" or "VTrans"). See Finance Docket No. 27594, Lamoille County Railroad, Inc. and Vermont Transportation Authority, Acquisition and Operation Between St. Johnsbury and Swanton, VT, Finance Docket No. 27587, Lamoille County Railroad, Inc., Stock (ICC served April 22, 1974). LVRC holds a leasehold interest in the Subject Line, pursuant to a Lease Agreement by and between LVRC and Vermont dated December 31, 1977 (the

LVRC also seeks to discontinue its trackage rights over the former Central Vermont Railway, Inc. ("CVR") line between approximately milepost 9.9 at the north abutment of the Missisquoi River Bridge at Sheldon Junction and approximately milepost 27.4 at Richford, all in Franklin County, Vermont (the "Richford Subdivision"). On February 6, 1992, CVR filed a notice of exemption to abandon the Richford Subdivision. The notice became effective on March 28, 1992. See AB-174 (Sub-No. 3X), The Central Vermont Railway, Inc. – Abandonment Exemption – In Franklin County, VT (ICC served February 27, 1992). CVR did not consummate the abandonment of the Richford Subdivision. Instead, it sold the Richford Subdivision to and entered into a trails use agreement with VTrans. VTrans still owns and manages a rail-trail on the Richford Subdivision. See AB-174 (Sub-No. 3X), The Central Vermont Railway, Inc. – Abandonment Exemption – In Franklin County, VT (ICC served October 8, 1992). LVRC did not seek authority to discontinue its trackage rights at the time that CVR initiated its abandonment proceeding. LVRC, in cooperation with VTrans, is now seeking an exemption to discontinue trackage rights on the Richford Subdivisions that have not been used since 1989.

In accordance with 49 C.F.R. § 1152.50(d)(2), LVRC submits the following information:

Exact Name of Applicant; Common Carrier Status: 49 C.F.R. § 1152.22(a)(1)-(2)

LVRC is a Class III common carrier by railroad subject to Surface Transportation Board ("STB" or "Board") jurisdiction.

"Lease Agreement"). LVRC has agreed to relinquish its leasehold interest and enter into a railbanking and trails use agreement with VTrans on the Subject Line.

Relief Sought: 49 C.F.R. § 1152.22(a)(3)

LVRC seeks authority to abandon the Subject Line and discontinue trackage rights over the Richford Subdivision.

Map: 49 C.F.R. § 1152.22(a)(4)

A map showing the location of the Subject Line and the Richford Subdivision is attached hereto as Exhibit A.

Applicant's Representative: 49 C.F.R. § 1152.22(a)(7)

Any questions concerning this application should be sent to LVRC's representative at the following address:

Edward J. Fishman, Esq.
Kirkpatrick & Lockhart LLP
1800 Massachusetts Avenue
Second Floor
Washington, DC 20036
(202) 778-9000

Zip Codes of the Subject Line: 49 C.F.R. § 1152.22(a)(8)

The Subject Line traverses United States Postal Service ZIP codes 05819, 05828, 05873, 05647, 05873, 05836, 05843, 05842, 05860, 05661, 05655, 05656, 05464, 05444, 05441, 05455, and 05488. The Richford Subdivision traverses United States Postal Service ZIP codes 05483, 05450, 05447 and 05476.

Qualification for Class Exemption: 49 C.F.R. § 1152.50(b)

LVRC certifies that no local traffic of any kind has moved over the Subject Line or the Richford Subdivision for at least two (2) years and there is no overhead traffic on the Subject Line or the Richford Subdivision. In addition, no formal complaint filed by a user of rail service on the Subject Line or the Richford Subdivision (or a state or local

governmental entity acting on behalf of such user) regarding cessation of service over the Subject Line or Richford Subdivision either is pending with the Board or any U.S. District Court or has been decided in favor of such complainant during the last two (2) years. See Certification of Clyde S. Forbes, attached hereto as Exhibit B.²

Proposed Consummation Date: 49 C.F.R. § 1152.50(d)(2)

LVRC intends to enter into a trails use agreement with VTrans on the Subject Line, and intends to consummate discontinuance of its trackage rights over the Richford Subdivision, soon after this Notice of Exemption becomes effective.

Suitability for Other Public Purposes: 49 C.F.R. § 1152.22(e)(4)

LVRC believes that the right-of-way of the Subject Line is compatible with alternative public use under 49 U.S.C. § 10905. In fact, VTrans is planning to enter into a railbanking and trails use agreement with LVRC on the Subject Line. The Richford Subdivision already is subject to interim trail use by VTrans. Based on information in LVRC's possession, neither the Subject Line nor the Richford Subdivision contains federally granted rights-of-way. Any information in this regard will be made available to those requesting it.

Notice Requirements: 49 C.F.R. §§ 1152.50(d)(2), 1105.11, 1105.12

A certificate that the agencies designated in 49 C.F.R. § 1152.50(d)(1) have been served with written prefilng notice of this abandonment and discontinuance is attached hereto as Exhibit C. A certificate that the Environmental/Historic Report

² On November 10, 2003, in response to LVRC's notice of intent to file this exemption, Mr. Timothy O. Phelps filed a letter asking the Board to disallow the exemption authority sought herein. VTrans will address that letter and any other comments that may be filed in this proceeding within twenty (20) days after the filing of this notice.

accompanying this Notice as Exhibit E has been served on the agencies designated in 49 C.F.R. § 1105.7 (b) is attached as Exhibit No. 1 to that Report. A certification in accordance with 49 C.F.R. § 1105.12 that Applicant has published notice of the proposed abandonment and discontinuance in a newspaper of general circulation in each county through which the Subject Line and the Richford Subdivision pass is attached hereto as Exhibit D.

Labor Protection: 49 C.F.R. § 1152.50(d)(2)

The appropriate level of labor protection for the abandonment and discontinuance transaction proposed herein is that set forth in Oregon Short Line R. Co. -- Abandonment -- Goshen, 360 I.C.C. 91 (1979). Nevertheless, no employees will be adversely impacted by the abandonment and discontinuance.

Environmental and Historic Preservation Data:

An Environmental/Historic Report for LVRC's abandonment of the Subject Line, prepared in compliance with the requirements and specifications of 49 CFR Part 1105, is attached hereto (in a separate bound volume) as Exhibit E. That report concludes that the proposed abandonment, if implemented, will not significantly affect either the quality of the human environment or the conservation of energy resources.

Request for Waiver

Pursuant to 49 C.F.R. § 1105.7(g) and 49 C.F.R. § 1105.8(e), LVRC respectfully requests waiver of the Environmental and Historic Report requirements (49 CFR Part 1105) with respect to the discontinuance authority sought herein. CVR previously prepared (and submitted to the ICC) Environmental and Historic Reports in connection with its verified notice of exemption for the abandonment of the Richford Subdivision.

See AB-174 (Sub-No. 3X), The Central Vermont Railway, Inc. – Abandonment Exemption – In Franklin County, VT (ICC decided February 20, 1992). At the time CVR filed for abandonment, LVRC did not seek authority for discontinuance of the trackage rights, but already had ceased operating over the Richford Subdivision for over two years. The Richford Subdivision subsequently was railbanked and currently remains subject to interim trail use. As such, LVRC only seeks Board authority to discontinue trackage rights over the Richford Subdivision that it has not used in 14 years; there will be no actual discontinuance of service and no change in the use of the Richford Subdivision since CVR and VTTrans entered into the trails use arrangement in 1992.

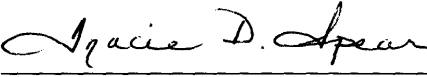
LVRC submits that the preparation of an Environmental Report on the Richford Subdivision is unnecessary and would be needlessly duplicative because CVR previously prepared and submitted such Report to the ICC (and the other requisite federal and state agencies). Additionally, as explained above, there will be no actual cessation of rail service and no change in use of the property as a result of the discontinuance authority sought herein. Therefore, there will be no additional environmental impacts once this Notice becomes effective, above and beyond those already identified, reported and evaluated pursuant to the CVR abandonment proceeding.

The preparation of a Historic Report on the Richford Subdivision also is unnecessary and would be needlessly duplicative because CVR previously prepared and submitted such Report to the ICC (and the other requisite federal and state agencies). As such, historic railroad structures and properties already have been identified, reported and analyzed. Additionally, the historic integrity of such structures

on the Richford Subdivision has remained intact as a result of interim trail use and will not be affected by the discontinuance authority sought herein.

LVRC respectfully requests that the Board waive the Environmental and Historic Report requirements (49 CFR Part 1105), with respect to the discontinuance authority sought herein on the Richford Subdivision.

Respectfully submitted,

By: 

Edward J. Fishman, Esq.
Tracie D. Spear, Esq.
Kirkpatrick & Lockhart LLP
1800 Massachusetts Avenue
Second Floor
Washington, DC 20036
(202) 778-9000


**ATTORNEYS FOR LAMOILLE VALLEY
RAILROAD COMPANY**

Dated: December 29, 2003

VERIFICATION

State of Florida)
) SS:
County of Gilchrist)

Clyde S. Forbes, being duly sworn, deposes and says that he is President of Lamoille Valley Railroad Company, that he has read the foregoing Notice of Exemption and knows the facts asserted therein, and that the same are true as stated, to the best of his knowledge, information and belief.


Clyde S. Forbes

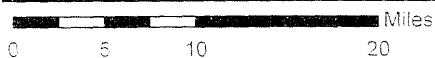
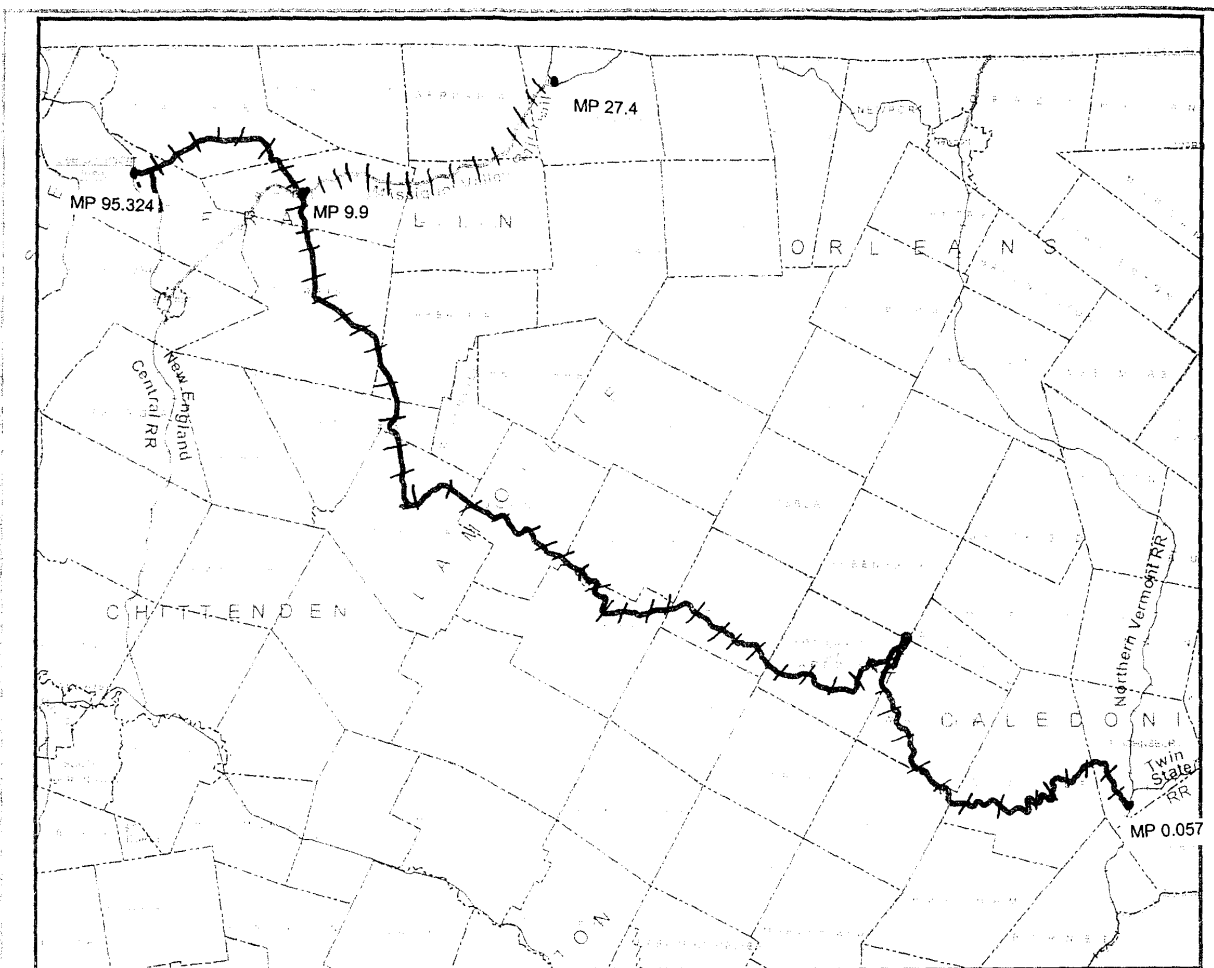
SUBSCRIBED AND SWORN to
before me this 22 day of December, 2003.

Alvin R. Harris
Notary Public

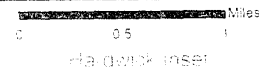
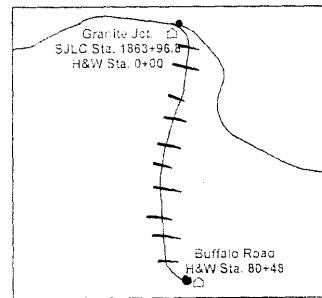
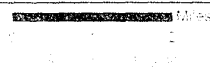
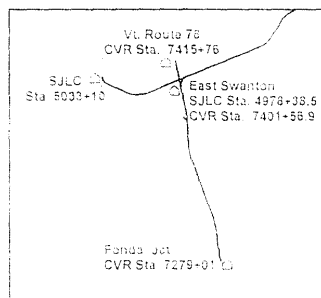
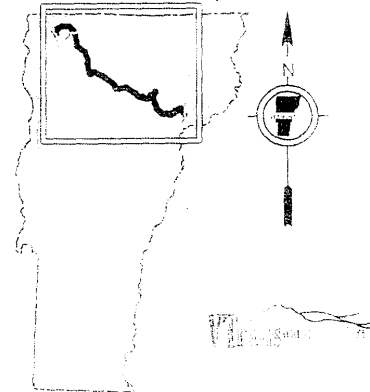


My Commission expires:

* No I.D. Produced -
Personally known



Location Map



Lamoille Valley Railroad
St. Johnsbury - Swanton
Vermont

EXHIBIT B

CERTIFICATION

State of Florida)
) SS:
County of Gilchrist)

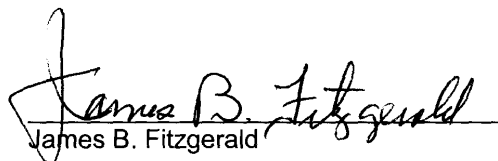
Clyde S. Forbes, being duly sworn, deposes and says that he is the President of Lamoille Valley Railroad Company ("LVRC"), and that to the best of his knowledge, information and belief:

No rail traffic of any kind has moved over: 1) a certain railroad right-of-way located between approximately milepost 0.057 (SJLC valuation station 3+00) in St. Johnsbury, VT and approximately milepost 95.324 (SJLC valuation station 5033+10) in Swanton, Vermont (a distance of approximately 95.26 route miles); 2) the Hardwick & Woodbury ("H&W") Connecting Track between approximately H&W valuation station 0+00 (Granite Junction) and approximately H&W valuation station 80+48 (Buffalo Road), a distance of approximately 1.52 miles in Hardwick, Vermont (collectively, the "Subject Line"); and 3) the former Central Vermont Railway, Inc. line between approximately milepost 9.9 at the north abutment of the Missisquoi River Bridge at Sheldon Junction, Vermont, and approximately milepost 27.4 at Richford, Vermont (the "Richford Subdivision") in Caledonia, Washington, Orleans, Lamoille and Franklin Counties, Vermont for at least two years; there is no overhead traffic on the Subject Line or Richford Subdivision; and no formal complaint filed by a user of rail service on the Subject Line or Richford Subdivision (or a state or local governmental entity acting on behalf of such user) regarding cessation of service over the Subject Line or Richford

EXHIBIT C

CERTIFICATE OF NOTIFICATION

I hereby certify that on November 25, 2003, a written notice containing the information specified in 49 C.F.R. § 1152.50(d)(1) was served by first class mail, postage prepaid, upon the following agencies as designated in that section:


James B. Fitzgerald

National Park Service
Recreation Resources Assistance Division

Vermont Department of Public Service

Military Traffic Management Command
Transportation Engineering Agency
Railroads for National Defense Program

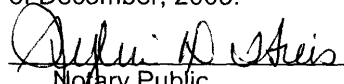
U.S. Department of Agriculture
Chief of Forest Service

Dated: December 16, 2003

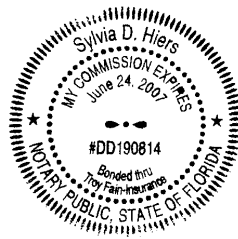
Subdivision either is pending with the Board or any U.S. District Court or has been decided in favor of such complainant during the last two years.


Clyde S. Forbes

SUBSCRIBED AND SWORN to
before me this 22 day
of December, 2003.


Notary Public

My Commission expires:



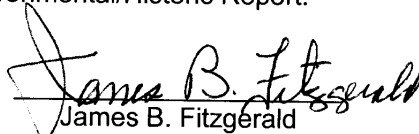
* No I.D. Produced -
Personally known

EXHIBIT D

CERTIFICATION OF PUBLICATION
PURSUANT TO
49 C.F.R. § 1105.12

I, James B. Fitzgerald, hereby certify as follows:

1. I have contacted newspapers of general circulation for the counties in which the rail lines to be abandoned and trackage rights to be discontinued in this proceeding are located and arranged for the publication of a Notice of Intent to File pursuant to 49 C.F.R. § 1105.12.
2. The Notice of Intent to File was published in the following newspapers: 1) the *St. Johnsbury Caledonian-Record* (October 25, 2003); 2) the *Hardwick Gazette* (October 29, 2003); 3) the *Barre-Montpelier Times-Argus* (October 28, 2003); the *Newport Daily Express* (October 27, 2003); 4) the *Morrisville News & Citizen* (October 30, 2003); and 5) the *St. Albans Messenger* (October 24, 2003). Proof of publication is set forth in the attached Environmental/Historic Report.


James B. Fitzgerald

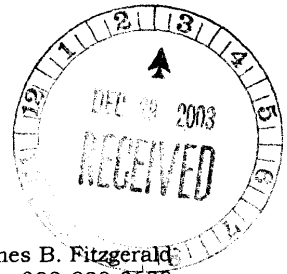
Dated: December 16, 2003

EXHIBIT E

LAMOILLE VALLEY RAILROAD COMPANY

c/o Vermont Agency of Transportation, Rail Section
National Life Building

Drawer 33
Montpelier, Vermont 05633-5001



James B. Fitzgerald
802-828-3628

james.fitzgerald@state.vt.us

November 24, 2003

TO: ALL PARTIES ON THE ATTACHED SERVICE LIST

Re: Docket No. AB-444 (Sub-No. 1X)
Lamoille Valley Railroad Company – Abandonment and Discontinuance
Exemption – In Caledonia, Washington, Orleans, Lamoille and Franklin
Counties, Vermont

Dear Sir/Madam:

Lamoille Valley Railroad Company ("LVRC"), in cooperation with the State of Vermont Agency of Transportation ("VAOT" or "VTrans"), expects shortly to file with the Surface Transportation Board ("STB" or "Board") a notice of exemption from the provisions of 49 U.S.C. § 10903 to abandon: (1) a certain railroad right-of-way located between approximately milepost 0.057 (SJLC valuation station 3+00) in St. Johnsbury, Vermont and approximately milepost 95.324 (SJLC valuation station 5033+10) in Swanton, Vermont, a distance of approximately 95.26 miles; and (2) the Hardwick & Woodbury ("H&W") Connecting Track between approximately H&W valuation station 0+00 (Granite Junction) and approximately H&W valuation station 80+48 (Buffalo Road), a distance of approximately 1.52 miles in Hardwick, Vermont (collectively, the "Subject Line"). The total distance of the Subject Line is approximately 96.78 miles within Caledonia, Washington, Orleans, Lamoille and Franklin Counties, Vermont.

LVRC also will seek Board approval for discontinuance of its trackage rights over the former Central Vermont Railway, Inc. ("CVR") line between approximately milepost 9.9 at the north abutment of the Missisquoi River Bridge at Sheldon Junction, Vermont, and approximately milepost 27.4 at Richford, Vermont (the "Richford Subdivision"). On February 6, 1992, CVR filed a notice of exemption to abandon the Richford Subdivision. The notice became effective on March 28, 1992. LVRC did not seek discontinuance authority at

Environmental Contact List
November 24, 2003
Page 2

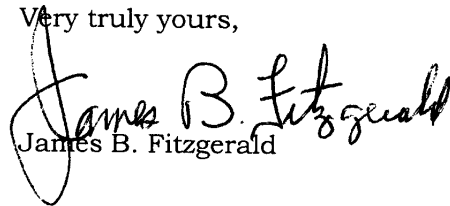
that time. VTrans currently owns and manages a rail trail on the Richford Subdivision.

Attached is an Environmental and Historic Report describing the proposed action and any expected environmental and historic effects, as well as maps of the affected area.

We are providing this report so that you may review the information that will form the basis for the STB's independent environmental analysis of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the Board's environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 1925 K Street, NW, Washington, DC 20423, telephone (202) 565-1565 and refer to the above docket number. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SEA (with a copy to our representative) would be appreciated within three (3) weeks.

Your comments will be considered by the Board in evaluating the environmental and historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, please contact our representative directly. Our representative in this matter is James B. Fitzgerald who may be contacted by telephone at (802) 828-3628 or by mail at Lamoille Valley Railroad Company, c/o VTrans Rail Section, National Life Building, Drawer 33, Montpelier, VT 05633-5001]

Very truly yours,


James B. Fitzgerald

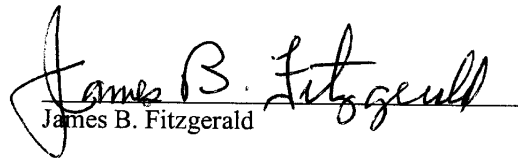
Enclosures

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**CERTIFICATE OF SERVICE
OF
ENVIRONMENTAL AND HISTORIC REPORTS**

I hereby certify that on November 24, 2003, I served the Environmental Report and Historic Report relative to Surface Transportation Board Docket No. AB-444 (Sub-No. 1X) pursuant to 49 C.F.R. §§ 1152.50, 1105.7(b) and 1105.11 by first-class United States mail, postage prepaid, upon the parties listed on the attached Service List, with which I had previously consulted by letter dated October 21, 2003.

Dated at Montpelier, Vermont, this 24th day of November, 2003.


James B. Fitzgerald

STATE OF VERMONT)
COUNTY OF WASHINGTON)

Subscribed and sworn to before me.


Notary Public
(My commission expires Feb. 10, 2007)

SERVICE LIST

ENVIRONMENTAL AND HISTORIC REPORT

Lamoille Valley Railroad Company — Abandonment and Discontinuance Exemption —
In Caledonia, Washington, Orleans, Lamoille and Franklin Counties, Vermont
Docket No. AB-444 (Sub-No. 1X)

FEDERAL AGENCIES:

U.S. Environmental Protection Agency

Mr. Robert W. Varney, Regional Administrator
U.S. Environmental Protection Agency, Region I
One Congress Street, Suite 1100
Boston, MA 02114-2023
(617) 918-1399

U.S. Fish and Wildlife Service

Regional Director
U.S. Fish & Wildlife Service
300 West Gate Center Drive
Hadley, MA 01035-9589
(413) 253-8200

U.S. Army Corps of Engineers

U.S. Army Corps of Engineers
New England District, Regulatory Branch
Vermont Project Office
8 Carmichael Street, Suite 205
Essex Junction, VT 05452
(802) 872-2893

National Park Service

National Park Service
Northeast Region
U.S. Custom House
200 Chestnut Street, Fifth Floor
Philadelphia, PA 19106
(215) 597-7013

U.S. Soil & Conservation Service

Ms. Frances M. Keeler, State Conservationist
USDA Natural Resources Conservation Service
356 Mountain View Drive, Suite 105
Colchester, VT 05446
(802) 951-6795

National Geodetic Survey

National Oceanic and Atmospheric Administration
National Geodetic Survey
1315 East-West Highway
Silver Spring, MD 20910-3282
(301) 713-3425

STATE AGENCIES:

State Clearinghouse

Office of Policy Research & Coordination
Pavilion Office Building
109 State Street
Montpelier, VT 05609
(802) 828-3333

State Agency of Transportation

Ms. Patricia A. McDonald, Secretary
Vermont Agency of Transportation
National Life Building
Drawer 33
Montpelier, VT 05633-5001
(802) 828-2657

State Environmental Protection Agency

Ms. Elizabeth A. McLain, Secretary
Vermont Agency of Natural Resources
103 South Main Street, Center Building
Waterbury, VT 05671-0301
(802) 241-3600

Mr. Jeffrey Wennberg, Commissioner
Department of Environmental Conservation
103 South Main Street, One South
Waterbury, VT 05671-0401
(802) 241-3808

Mr. Wayne LaRoche, Commissioner
Department of Fish & Wildlife
103 South Main Street, 10 South
Waterbury, VT 05671-0501
(802) 241-3700

Mr. Jonathan Wood, Commissioner
Department of Forests, Parks & Recreation
103 South Main Street, 10 South
Waterbury, VT 05671-0601
(802) 241-3670

State Historic Preservation Office

Division for Historic Preservation
Agency of Commerce & Community Development
National Life Building, 6th Floor
Drawer 20
Montpelier, VT 05620-0501
(802) 828-3211

State Coastal Zone Management Agency

Not applicable

REGIONAL PLANNING COMMISSIONS:

Caledonia and Orleans Counties

Mr. Steven Patterson, Executive Director
Northeastern Vermont Development Association
P.O. Box 630
St. Johnsbury, VT 05819
(802) 748-5181

Washington County

Ms. Susan Sinclair, Executive Director
Central Vermont Regional Planning Commission
29 Main Street, Suite 4
Montpelier, VT 05602
(802) 229-0389

Lamoille County

Ms. Michele Boomhower, Executive Director
Lamoille County Planning Commission
P.O. Box 1009
Morrisville, VT 05661-1009
(802) 888-4548

Franklin County

Ms. Catherine Dimitruk, Executive Director
Northwest Regional Planning Commission
7 Lake Street, Suite 201
St. Albans, VT 05478
(802) 524-5958

OTHER POLITICAL ENTITIES THROUGH WHICH THE LINE RUNS:

Town of St. Johnsbury (Caledonia County)

Selectboard
c/o Ms. Sandra P. Grenier, Town Clerk
Town of St. Johnsbury
1187 Main Street, Suite 2
St. Johnsbury, VT 05819
(802) 748-4331

Planning Commission
c/o Ms. Sandra P. Grenier, Town Clerk
Town of St. Johnsbury
1187 Main Street, Suite 2
St. Johnsbury, VT 05819
(802) 748-4331

Town of Danville (Caledonia County)

Selectboard
c/o Ms. Virginia W. Morse, Town Clerk
Town of Danville
P.O. Box 183
Danville, VT 05828
(802) 684-3352

Planning Commission
c/o Ms. Virginia W. Morse, Town Clerk
Town of Danville
P.O. Box 183
Danville, VT 05828
(802) 684-3352

Town of Cabot (Washington County)

Selectboard
c/o Mr. Christopher Kaldor, Town Clerk
Town of Cabot
Box 36
Cabot, VT 05647
(802) 563-2279

Planning Commission
c/o Mr. Christopher Kaldor, Town Clerk
Town of Cabot
Box 36
Cabot, VT 05647
(802) 563-2279

Town of Walden (Caledonia County)

Selectboard
c/o Ms. Lina Smith, Town Clerk
Town of Walden
12 VT Route 215
West Danville, VT 05873
(802) 563-2220

Planning Commission
c/o Ms. Lina Smith, Town Clerk
Town of Walden
12 VT Route 215
West Danville, VT 05873
(802) 563-2220

Town of Hardwick (Caledonia County)

Selectboard
c/o Mr. Gerald S. Hall, Town Clerk
Town of Hardwick
P.O. Box 523
Hardwick, VT 05843
(802) 472-5971

Planning Commission
c/o Mr. Gerald S. Hall, Town Clerk
Town of Hardwick
P.O. Box 523
Hardwick, VT 05843
(802) 472-5971

Town of Greensboro (Orleans County)

Selectboard
c/o Ms. Bridget A. Collier, Town Clerk
Town of Greensboro
P.O. Box 119
Greensboro, VT 05841
(802) 533-2911

Planning Commission
c/o Ms. Bridget A. Collier, Town Clerk
Town of Greensboro
P.O. Box 119
Greensboro, VT 05841
(802) 533-2911

Town of Wolcott (Lamoille County)

Selectboard
c/o Ms. Linda J. Martin, Town Clerk
Town of Wolcott
P.O. Box 100
Wolcott, VT 05680
(802) 888-2746

Planning Commission
c/o Ms. Linda J. Martin, Town Clerk
Town of Wolcott
P.O. Box 100
Wolcott, VT 05680
(802) 888-2746

Town of Morristown (Lamoille County)

Selectboard
c/o Ms. Mary Ann Wilson, Town Clerk
Town of Morristown
P.O. Box 748
Morrisville, VT 05661
(802) 888-6370

Planning Commission
c/o Ms. Mary Ann Wilson, Town Clerk
Town of Morristown
P.O. Box 748
Morrisville, VT 05661
(802) 888-6370

Village of Morrisville (Lamoille County)

Board of Trustees
c/o Ms. Mary Ann Wilson, Village Clerk
Village of Morrisville
P.O. Box 748
Morrisville, VT 05661
(802) 888-6370

Planning Commission
c/o Ms. Mary Ann Wilson, Village Clerk
Village of Morrisville
P.O. Box 748
Morrisville, VT 05661
(802) 888-6370

Town of Hyde Park (Lamoille County)

Selectboard
c/o Mr. Gary L. Anderson, Town Clerk
Town of Hyde Park
P.O. Box 98
Hyde Park, VT 05655
(802) 888-2300

Planning Commission
c/o Mr. Gary L. Anderson, Town Clerk
Town of Hyde Park
P.O. Box 98
Hyde Park, VT 05655
(802) 888-2300

Town of Johnson (Lamoille County)

Selectboard
c/o Ms. Rosemary Audibert, Town Clerk
Town of Johnson
P.O. Box 383
Johnson, VT 05676
(802) 635-2611

Planning Commission
c/o Ms. Rosemary Audibert, Town Clerk
Town of Johnson
P.O. Box 383
Johnson, VT 05676
(802) 635-2611

Town of Cambridge (Lamoille County)

Selectboard
c/o Ms. Jane N. Porter, Town Clerk
Town of Cambridge
P.O. Box 127
Jeffersonville, VT 05464
(802) 644-2251

Planning Commission
c/o Ms. Jane N. Porter, Town Clerk
Town of Cambridge
P.O. Box 127
Jeffersonville, VT 05464
(802) 644-2251

Town of Fletcher (Franklin County)

Selectboard
c/o Ms. Elaine C. Sweet, Town Clerk
Town of Fletcher
215 Cambridge Road
Cambridge, VT 05444
(802) 849-6616

Planning Commission
c/o Ms. Elaine C. Sweet, Town Clerk
Town of Fletcher
215 Cambridge Road
Cambridge, VT 05444
(802) 849-6616

Town of Bakersfield (Franklin County)

Selectboard
c/o Ms. Joyce Morin, Town Clerk
Town of Bakersfield
P.O. Box 203
Bakersfield, VT 05441
(802) 827-4495

Planning Commission
c/o Ms. Joyce Morin, Town Clerk
Town of Bakersfield
P.O. Box 203
Bakersfield, VT 05441
(802) 827-4495

Town of Fairfield (Franklin County)

Selectboard
c/o G. F. Longway, Town Clerk
Town of Fairfield
P.O. Box 5
Fairfield, VT 05455
(802) 827-3261

Planning Commission
c/o G. F. Longway, Town Clerk
Town of Fairfield
P.O. Box 5
Fairfield, VT 05455
(802) 827-3261

Town of Sheldon (Franklin County)

Selectboard
c/o Ms. Susan A. Burnor, Town Clerk
Town of Sheldon
P.O. Box 66
Sheldon, VT 05483
(802) 933-2524

Planning Commission
c/o Ms. Susan A. Burnor, Town Clerk
Town of Sheldon
P.O. Box 66
Sheldon, VT 05483
(802) 933-2524

Town of Highgate (Franklin County)

Selectboard
c/o Ms. Cora A. Baker, Town Clerk
Town of Highgate
P.O. Box 67
Highgate Center, VT 05459
(802) 868-4697

Planning Commission
c/o Ms. Cora A. Baker, Town Clerk
Town of Highgate
P.O. Box 67
Highgate Center, VT 05459
(802) 868-4697

Town of Swanton (Franklin County)

Selectboard
c/o Ms. Doris H. Raleigh, Town Clerk
Town of Swanton
P.O. Box 711
Swanton, VT 05488
(802) 868-4421

Planning Commission
c/o Ms. Doris H. Raleigh, Town Clerk
Town of Swanton
P.O. Box 711
Swanton, VT 05488
(802) 868-4421

Village of Swanton (Franklin County)

Board of Trustees
c/o Ms. Christine Davis, Village Clerk
Village of Swanton
P.O. Box 279
Swanton, VT 05488
(802) 868-3397

Planning Commission
c/o Ms. Christine Davis, Village Clerk
Village of Swanton
P.O. Box 279
Swanton, VT 05488
(802) 868-3397

Town of Enosburg (Franklin County)

Selectboard
c/o Ms. Carolyn Simpson, Town Clerk
Town of Enosburg
P.O. Box 465
Enosburg Falls, VT 05450
(802) 933-4421

Planning Commission
c/o Ms. Carolyn Simpson, Town Clerk
Town of Enosburg
P.O. Box 465
Enosburg Falls, VT 05450
(802) 933-4421

Village of Enosburg (Franklin County)

Board of Trustees
c/o Ms. Natalie Guilmette, Village Clerk
42 Village Drive
Enosburg Falls, VT 05450
(802) 933-2559

Planning Commission
c/o Ms. Natalie Guilmette, Village Clerk
42 Village Drive
Enosburg Falls, VT 05450
(802) 933-2559

Town of Berkshire (Franklin County)

Selectboard
c/o Ms. Virginia M. Messier, Town Clerk
Town of Berkshire
4454 Watertower Road
Enosburg, VT 05450-5358
(802) 933-2335

Planning Commission
c/o Ms. Virginia M. Messier, Town Clerk
Town of Berkshire
4454 Watertower Road
Enosburg, VT 05450-5358
(802) 933-2335

Town of Richford (Franklin County)

Selectboard
c/o Mr. Gary Snider, Town Clerk
Town of Richford
P.O. Box 236
Richford, VT 05476
(802) 848-7751

Planning Commission
c/o Mr. Gary Snider, Town Clerk
Town of Richford
P.O. Box 236
Richford, VT 05476
(802) 848-7751

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BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, D.C.

Docket No. AB-444 (Sub-No. 1X)

LAMOILLE VALLEY RAILROAD COMPANY
— ABANDONMENT EXEMPTION —
IN CALEDONIA, WASHINGTON, ORLEANS, LAMOILLE
AND FRANKLIN COUNTIES, VERMONT

ENVIRONMENTAL AND HISTORIC REPORTS
IN COMPLIANCE
WITH 49 C.F.R. PART 1105

**LAMOILLE VALLEY RAILROAD
COMPANY**

James B. Fitzgerald
Lamoille Valley Railroad Company
c/o Vermont Agency of Transportation, Rail
Section
National Life Building
Drawer 33
Montpelier, Vermont 05633-5001
(802) 828-3628 (voice)
(802) 828-2829 (fax)
james.fitzgerald@state.vt.us

BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, D.C.

Docket No. AB-444 (Sub-No. 1X)

LAMOILLE VALLEY RAILROAD COMPANY
— ABANDONMENT EXEMPTION —
IN CALEDONIA, WASHINGTON, ORLEANS, LAMOILLE
AND FRANKLIN COUNTIES, VERMONT

ENVIRONMENTAL AND HISTORIC REPORTS
IN COMPLIANCE
WITH 49 C.F.R. PART 1105

The following information is submitted to the Surface Transportation Board by the Lamoille Valley Railroad Company ("LVRC") in accordance with the Board's reporting requirements as set forth in 49 C.F.R. Part 1105, for the purpose of assisting the Board in its preparation of an environmental assessment in connection with LVRC's Verified Notice of Exemption pursuant to 49 C.F.R. § 1152.50 for the abandonment of approximately 96.78 route miles of rail line in Caledonia, Washington, Orleans, Lamoille and Franklin Counties, Vermont. It is the conclusion of this Environmental Report and the attached Historic Report that the proposed abandonment will not significantly affect the quality of the human environment, the conservation of energy resources or historically significant or archaeological sites.

REQUIREMENTS OF 49 C.F.R. SECTION 1105.7

Section 1105.7(b)(1) – (11) Distribution:

(b) At least 20 days prior to the filing with the Board of a notice of exemption, petition for exemption, or an application for abandonment or discontinuance, the applicant must serve copies of the Environmental Report on:

(1) The State Clearinghouse of each State involved (or other State equivalent agency if the State has no clearinghouse);

(2) The State Environmental Protection Agency of each State involved;

(3) The State Coastal Zone Management Agency for any state where the proposed activity would affect land or water uses within that State's coastal zone;

(4) The head of each county (or comparable political entity including any Indian reservation) through which the line goes;

(5) The appropriate regional offices of the Environmental Protection Agency;

(6) The U.S. Fish and Wildlife Service;

(7) The U.S. Army Corps of Engineers;

(8) The National Park Service;

(9) The U.S. Soil Conservation Service;

(10) The National Geodetic Survey (formerly known as the Coast and Geodetic Survey) as designated agent for the National Geodetic Survey and the U.S. Geological Survey; and

(11) Any other agencies that have been consulted in preparing the report.

See attached List of Parties Consulted and Certificate of Service (Exhibit No. 1).

Section 1105.7(c) Certification of Service of Environmental Report:

(c) Certification. In its Environmental Report, the applicant must certify that it has sent copies of the Environmental Report to the agencies listed and within the time period specified in paragraph (b) of this section and that it has consulted with all appropriate agencies in preparing the report. These consultations should be made far enough in advance to afford those agencies a reasonable opportunity to provide meaningful input.

(See attached List of Parties Consulted and Certificate of Service — Exhibit No. 1)

Section 1105.7(c) Publication of Newspaper Notice of Intent to Abandon:

Finally, in every abandonment exemption case, applicant shall certify that it has published in a newspaper of general circulation in each county through which the line passes a notice that alerts the public to the proposed abandonment, to available reuse alternatives, and to how it may participate in the STB proceeding.

The Notice for Publication specified at 49 C.F.R. § 1105.12 was published as follows:

County	Name and Address of Newspaper	Date of Publication
Caledonia	St. Johnsbury Caledonian-Record Federal Street St. Johnsbury, VT 05819	October 25, 2003

Caledonia	Hardwick Gazette Main Street Hardwick, VT 05843	October 29, 2003
Washington	Barre-Montpelier Times-Argus 540 North Main Street Barre, VT 05641	October 28, 2003
Orleans	Newport Daily Express Hill Street Newport, VT 05855	October 27, 2003
Lamoille	Morrisville News & Citizen Morrisville, VT 05661	October 30, 2003
Franklin	St. Albans Messenger 281 North Main Street St. Albans, VT 05478	October 24, 2003

See attached copies of affidavits of publication and newspaper notices (Exhibit No. 2).

Section 1105.7(d) Documentation:

(d) Documentation. Any written responses received from agencies that were contacted in preparing the Environmental Report shall be attached to the report. Oral responses from such agencies shall be briefly summarized in the report and the names, titles, and telephone numbers of the persons contacted shall be supplied. A copy of, or appropriate citation to, any reference materials relied upon also shall be provided.

All the agencies referenced at 49 C.F.R. § 1105.7(b)(1) – (10) were contacted by letters dated October 21, 2003 to solicit comments (see Exhibits Nos. 1 and 3). Input received as of this date has been incorporated along with LVRC's analysis, and copies of responses are included in Exhibit No. 3. Subsequent written comments may be received by SEA and LVRC.

Status of written and oral comments received:

1105.7(b)(1) State Clearinghouse:

The State of Vermont's Office of Policy & Research was contacted by letter on October 21, 2003. No response has been received.

1105.7(b)(2) State Environmental Protection Agency:

The State of Vermont's Agency of Natural Resources was contacted by letter on October 21, 2003. No response has been received.

1105.75(b)(3) State Coastal Zone Management Agency for Vermont:

The State of Vermont does not have a State Coastal Zone Management Agency.

1105.7(b)(4) Head of Each County Through Which the Line Goes:

In the State of Vermont, local government services are provided by municipalities (cities, towns, and incorporated villages). By letter dated October 21, 2003, LVRC contacted the selectboards (or boards of trustees for incorporated villages) for each municipality through which the track runs. This correspondence and the status of responses (if any) received from the municipalities is summarized in the following table:

<i>Municipality</i>	<i>Status of Response</i>
Town of St. Johnsbury	October 27, 2003 Letter from Town of St. Johnsbury Selectboard to James B. Fitzgerald
Town of Danville	No response received
Town of Cabot	No response received
Town of Walden	No response received
Town of Hardwick	No response received
Town of Greensboro	No response received
Town of Wolcott	No response received
Town of Morristown	No response received
Village of Morrisville	No response received
Town of Hyde Park	No response received
Town of Johnson	No response received
Town of Cambridge	No response received
Town of Fletcher	No response received
Town of Bakersfield	No response received
Town of Fairfield	No response received
Town of Sheldon	No response received
Town of Highgate	November 3, 2003 Letter from Larry R. Kempton, Town Administrator, to Governor James H. Douglas
Town of Swanton	October 27, 2003 Letter from Richard J. Thompson, Town Administrator, to James B. Fitzgerald
Village of Swanton	No response received
Town of Enosburg	No response received
Village of Enosburg	No response received
Town of Berkshire	No response received
Town of Richford	No response received

Copies of any responses received from municipal officials are included in Exhibit No. 3.

1105.7(b)(5) Appropriate Regional Offices of the Environmental Protection Agency:

The Regional Director of the Environmental Protection Agency was contacted by letter on October 21, 2003. No response was received.

1105.7(b)(6) U.S. Fish and Wildlife Service:

The Regional Director of U.S. Fish and Wildlife Service was contacted by letter on October 21, 2003. No response was received.

1105.7(b)(7) U.S. Army Corps of Engineers:

The Vermont Field Office of the U.S. Army Corps of Engineers was contacted by letter on October 21, 2003. No response was received.

1105.7(b)(8) National Park Service:

The Northeast Region of the National Park Service was contacted by letter on October 21, 2003. No response was received.

1105.7(b)(9) U.S. Soil Conservation Service:

The USDA Natural Resources Conservation Service (formerly the Soil Conservation Service) was contacted by letter on October 21, 2003. No response was received.

1105.7(b)(10) National Geodetic Survey:

The National Oceanic and Atmospheric Administration National Geodetic Survey was contacted by letter on October 21, 2003. No response was received.

1105.7(d)(3) Local and Regional Planning Activities:

By letter dated October 21, 2003, the regional planning commissions (RPCs) serving the areas through which the track runs were contacted. This correspondence and the status of responses (if any) received from the RPCs is summarized in the following table:

<i>Name</i>	<i>Status of Response</i>
Northeastern Vermont Development Ass'n	No response received
Central Vermont Regional Planning Comm'n	No response received
Lamoille County Planning Commission	No response received
Northwest Regional Planning Comm'n	No response received

Any responses received are included in Exhibit No. 3.

By letter dated October 21, 2003, LVRC contacted the planning commissions serving the individual municipalities through which the track runs. This correspondence and the status of responses (if any) received from the municipal planning commissions is summarized in the following table:

Section 1105.7(e)(1) Proposed Action and Alternatives:

(1) Proposed action and alternatives. Describe the proposed action, including commodities transported, the planned disposition (if any) of any rail line and other structures that may be involved, and any possible changes in current operations or maintenance practices. Also describe any reasonable alternatives to the proposed action. Include a readable, detailed map and drawings clearly delineating the project.

The proposed action is the abandonment of 96.78 miles of track located in Caledonia, Washington, Orleans, Lamoille and Franklin Counties, Vermont. The track is out of service and no traffic has moved over the line for at least two years. Any overhead traffic already has been rerouted over other lines.

Following abandonment, LVRC will surrender its leasehold to the line's owner, the State of Vermont. To facilitate railbanking and interim trail use, the State of Vermont will arrange for removal of crossties, rails and other track materials, which will either be recycled or disposed of in an appropriate manner. Except where bridges present an imminent safety hazard, they will be kept intact for trail use.

The proposed abandonment does *not* include the "Fonda Branch" in the Town of Swanton, Franklin County, Vermont. The Fonda Branch is the remaining stub of the former Central Vermont Railway's St. Armand Subdivision, which was authorized for abandonment by the former Interstate Commerce Commission in the mid-1950s, after which the segment now known as the Fonda Branch continued in use as industrial trackage. The Fonda Branch will be kept intact and leased to New England Central Railroad, Inc. ("NECR") for continued use as industrial trackage.

(2) TRANSPORTATION SYSTEMS

Section 1105.7(e)(2) Transportation System:

(2) Transportation system. Describe the effects of the proposed action on regional or local transportation systems and patterns. Estimate the amount of traffic (passenger or freight) that will be diverted to other transportation systems or modes as a result of the proposed action.

No effects are anticipated from the abandonment of this line of railroad, which has been out-of-service for many years.

(3) LAND USE

Section 1105.7(e)(3) Land Use:

(3) Land use. (i) Based on consultation with local and/or regional planning agencies and/or a review of the official planning documents prepared by such agencies, state whether the proposed action is consistent with existing land use plans. Describe any inconsistencies.

Comments were solicited from the local and/or regional planning agencies listed in response to Section 1105.7(d)(3) (Local and Regional Planning Activities) above. Any responses are included in Exhibit No. 3. No inconsistencies with existing land use plans are anticipated.

Section 1105.7(e)(3)(ii) Prime Agricultural Land:

(ii) Based on consultation with the U.S. Soil Conservation Service, state the effect of the proposed action on any prime agricultural land.

LVRC did not receive any response to its October 21, 2003 letter from the U.S. Soil Conservation Service. LVRC does not believe that the proposed action will have an effect on any prime agricultural land.

Section 1105.7(e)(3)(iii) Land or Water Uses Within Designated Coastal Zone:

(iii) If the action affects land or water uses within a designated coastal zone, include the coastal zone information required by § 1105.9.

Not applicable.

Section 1105.7(e)(3)(iv) Alternative Public Use Under 49 U.S.C. § 10906:

(iv) If the proposed action is an abandonment, state whether or not the right-of-way is suitable for alternative public use under 49 U.S.C. 10906 and explain why.

The line's owner, the State of Vermont, has identified the right-of-way as suitable for alternative public uses following surrender of LVRC's leasehold and is working with cooperating municipalities, snowmobile clubs, and other responsible organizations toward this goal.

(4) ENERGY

Section 1105.7(e)(4)(i) Transportation of Energy Resources:

(4) Energy. (i) Describe the effect of the proposed action on transportation of energy resources.

The proposed abandonment will have no effect on the development and transportation of energy resources, or on the movement and/or recovery of recyclable commodities since no such energy resources or recyclable commodities are presently transported over this line.

Section 1105.7(e)(4)(ii) Recyclable Commodities:

- (ii) Describe the effect of the proposed action on recyclable commodities.

No effect is anticipated.

Section 1105.7(e)(4)(iii) Increase or Decrease in Overall Energy Efficiency:

- (iii) State whether the proposed action will result in an increase or decrease in overall energy efficiency and explain why.

No impact is anticipated.

Section 1105.7(e)(4)(iv) Diversion from Rail to Motor Carriage:

- (iv) If the proposed action will cause diversions from rail to motor carriage of more than:

(A) 1,000 rail carloads a year; or

(B) An average of 50 rail carloads per mile per year for any part of the affected line, quantify the resulting net change in energy consumption and show the data and methodology used to arrive at the figure given. To minimize the production of repetitive data, the information on overall energy efficiency in § 1105.7(e)(4)(iii) need not be supplied if the more detailed information in § 1105.7(e)(4)(iv) is required.

The proposed action will not cause diversions from rail to truck of more than 1,000 rail carloads per year or more than 50 rail cars per mile per year.

(5) AIR

Section 1105.7(e)(5)(i) Air Emissions:

- (5) Air. (i) If the proposed action will result in either:

(A) An increase in rail traffic of at least 100 percent (measured in gross ton miles annually) or an increase of at least eight trains a day on any segment of rail line affected by the proposal, or

(B) An increase in rail yard activity of at least 100 percent (measured by carload activity), or

(C) An average increase in truck traffic of more than 10 percent of the average daily traffic or 50 vehicles a day on any affected road segment, quantify the anticipated effect on air emissions. For a proposal under 49 U.S.C. 10901 (or 10505) to construct a new line or

reinstitute service over a previously abandoned line, only the eight train a day provision in subsection (5)(i)(A) will apply.

The proposed abandonment:

A. Will not result in an increase of rail traffic of at least 100% or an increase of at least 8 trains per day on any segment of rail line affected by the proposed abandonment.

B. Will not result in an increase in rail yard activity of at least 100% (measured by carload activity).

C. Will not result in an increase in total traffic by 10% or 50 vehicles a day on any affected road segment.

Section 1105.7(e)(5)(ii) Class I or Non-Attainment Area:

(ii) If the proposed action affects a class I or non-attainment area under the Clean Air Act, and will result in either:

(A) An increase in rail traffic of at least 50 percent (measured in gross ton miles annually) or an increase of at least three trains a day on any segment of rail line,

(B) An increase in rail yard activity of at least 20 percent (measured by carload activity), or

(C) An average increase in truck traffic of more than 10 percent of the average daily traffic or 50 vehicles a day on a given road segment, then state whether any expected increased emissions are within the parameters established by the State Implementation Plan. However, for a rail construction under 49 U.S.C. 10901 (or 49 U.S.C. 10505), or a case involving the reinstitution of service over a previously abandoned line, only the three train a day threshold in this item shall apply.

The proposed abandonment:

A. Will not result in an increase in rail traffic of at least 50% or an increase of at least 3 trains per day on any segment of rail line affected by the proposed abandonment.

B. Will not result in an increase in rail yard activity of at least 20% (measured by carload activity).

C. Will not result in an increase in total traffic by 10% or 50 vehicles per day for any affected road segment.

Section 1105.7(e)(5)(iii) Transportation of Ozone-Depleting Materials:

(iii) If transportation of ozone depleting materials (such as nitrogen oxide and freon) is contemplated, identify: the materials and quantity; the frequency of service; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and spills; contingency plans to deal with accidental spills; and the likelihood of an accidental release of ozone depleting materials in the event of a collision or derailment.

Transportation of ozone-depleting materials is not involved.

(6) NOISE

Section 1105.7(3)(6) Noise:

(6) Noise. If any of the thresholds identified in item (5)(i) of this section are surpassed, state whether the proposed action will cause:

(i) An incremental increase in noise levels of three decibels Ldn or more; or

(ii) An increase to a noise level of 65 decibels Ldn or greater. If so, identify sensitive receptors (*e.g.*, schools, libraries, hospitals, residences, retirement communities, and nursing homes) in the project area, and quantify the noise increase for these receptors if the thresholds are surpassed.

None of the thresholds identified in item (5)(i) of this section will be surpassed.

(7) SAFETY

Section 1105.7(e)(7)(i) Public Health and Safety:

(7) Safety. (i) Describe any effects of the proposed action on public health and safety (including vehicle delay time at railroad grade crossings).

Public health and safety will be improved by the elimination of at-grade crossings along the line.

Section 1105.7(e)(7)(ii) Transportation of Hazardous Materials:

(ii) If hazardous materials are expected to be transported, identify: the materials and quantity; the frequency of service; whether chemicals are being transported that, if mixed, could react to form more hazardous compounds; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and hazardous spills; the contingency plans to deal with accidental spills; and the likelihood of an accidental release of hazardous materials.

Not applicable, since hazardous materials no longer will be transported over this line segment.

Section 1105.7(e)(7)(iii) Hazardous Waste Sites:

(iii) If there are any known hazardous waste sites or sites where there have been known hazardous materials spills on the right-of-way, identify the location of those sites and the types of hazardous materials involved.

The LVRC's former engine house and repair shop, located adjacent to the railroad right-of-way in an industrial park off Stafford Avenue in Morrisville, is included in the August 2003 edition of the Vermont Active Hazardous Sites List, issued by the Vermont Agency of Natural Resources, Department of Environmental Conservation, Waste Management Division. However, the Morrisville facility, by then no longer in active railroad use, was deleted from LVRC's leasehold, effective on October 15, 1998 by mutual agreement of LVRC and the line's owner, the State of Vermont Agency of Transportation. LVRC knows of no other hazardous waste sites along the railroad right-of-way.

(8) BIOLOGICAL RESOURCES

Section 1105.7(e)(8)(i) Wildlife:

(8) Biological resources. (i) Based on consultation with the U.S. Fish and Wildlife Service, state whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects.

LVRC has not received any response to its October 21, 2003 letter to the U.S. Fish and Wildlife Service. LVRC has no reason to believe that any such species are located on the right-of-way or that any long-term adverse effects on endangered species or critical habitats would result from the proposed action. Following the proposed abandonment, temporary displacement of wildlife along the right-of-way may occur during a short period when salvage operations are conducted. However, any such effects will be minor and short-lived.

Section 1105.7(e)(8)(ii) Wildlife Sanctuaries or Refuges:

(ii) State whether wildlife sanctuaries or refuges, National or State parks or forests will be affected, and describe any effects.

No wildlife sanctuaries or refuges, National or State parks or forests will be adversely affected by the proposed abandonment since none exists along the right-of-way.

(9) WATER

Section 1105.7(e)(9)(i) Water Quality Standards:

(9) Water. (i) Based on consultation with State water quality officials, state whether the proposed action is consistent with applicable Federal, State or local water quality standards. Describe any inconsistencies.

The proposed abandonment does not appear to be inconsistent with applicable federal, state, and/or local water quality standards. As long as proper care is taken during subsequent salvage activities, there will be no impact on water quality.

Section 1105.7(e)(9)(ii) Effects on Designated Wetlands or 100-Year Flood Plains:

(ii) Based on consultation with the U.S. Army Corps of Engineers, state whether permits under section 404 of the Clean Water Act (33 U.S.C. 1344) are required for the proposed action and whether any designated wetlands or 100-year flood plains will be affected. Describe the effects.

LVRC has not received any response to its October 21, 2003 letter to the U.S. Army Corps of Engineers notifying the Corps of the proposed abandonment. LVRC has no reason to believe that permits under Section 404 of the Clean Water Act will be required for the proposed action. No designated wetlands or 100-year flood plains will be adversely affected.

Section 1105.7(e)(9)(iii) Section 402 of Clean Water Act (33 U.S.C. § 1342):

(iii) State whether permits under section 402 of the Clean Water Act (33 U.S.C. 1342) are required for the proposed action. (Applicants should contact the U.S. Environmental Protection Agency or the state environmental protection or equivalent agency if they are unsure whether such permits are required.)

Permits under Section 402 of the Clean Water Act (33 U.S.C. § 1342) are not required for the proposed action. Subsequent salvage activities will be limited to removal of crossties, rails, and other track materials, with no in-stream salvage activities contemplated.

Section 1105.7(e)(10) Proposed Mitigation for Adverse Environmental Impacts:

(10) Proposed Mitigation. Describe any actions that are proposed to mitigate adverse environmental impacts, indicating why the proposed mitigation is appropriate.

No adverse environmental impacts are anticipated from the proposed abandonment. During the subsequent salvage operation, no mitigation other than using appropriate care in conducting salvage operations will be necessary.

Section 1105.7(e)(11) Additional Information for Rail Constructions:

(11) Additional Information for Rail Constructions. The following additional information should be included for rail construction proposals (including connecting track construction):

(i) Describe the proposed route(s) by State, county, and subdivision, including a plan view, at a scale not to exceed 1:24,000 (7½ minute U.S.G.S. quadrangle map), clearly showing the relationship to the existing transportation network (including the location of all highway and road crossings) and the right-of-way according to ownership and land use requirements.

(ii) Describe any alternative routes considered, and a no-build alternative (or why this would not be applicable), and explain why they were not selected.

(iii) Describe the construction plans, including the effect on the human environment, labor force requirements, the location of borrow pits, if any, and earthwork estimates.

(iv) Describe in detail the rail operations to be conducted upon the line, including estimates of freight (carloads and tonnage) to be transported, the anticipated daily and annual number of train movements, number of cars per train, types of cars, motive power requirements, proposed speeds, labor force, and proposed maintenance-of-way practices.

(v) Describe the effects, including indirect or down-line impacts, of the new or diverted traffic over the line if the thresholds governing energy, noise and air impacts in §§ 1105.7(e)(4), (5), or (6) are met.

(vi) Describe the effects, including impacts on essential public services (*e.g.*, fire, police, ambulance, neighborhood schools), public roads, and adjoining properties, in communities to be traversed by the line.

(vii) Discuss societal impacts, including expected change in employment during and after construction.

Not applicable, since the proposed action does not involve any new railroad construction.

Section 1105.8 Historic Report:

(a) Filing. An applicant proposing an action identified in § 1105.6 (a) or (b), or an action in § 1105.6(c) that will result in the lease, transfer, or sale of a railroad's line, sites or structures, must submit (with its application, petition or notice) the Historic Report described in paragraph (d) of this section, unless excepted under paragraph (b) of this section. This report should be combined with the Environmental Report where one is required. The purpose of the Historic Report is to provide the Board with sufficient information to conduct the consultation process required by the National Historic Preservation Act.

The Historic Report is attached hereto (see Exhibit No. 4).

Section 1105.9 Coastal Zone Management Act Requirements:

(a) If the proposed action affects land or water uses within a State coastal zone designated pursuant to the Coastal Zone Management Act (16 U.S.C. 1451 *et seq.*) applicant must comply with the following procedures:

(1) If the proposed action is listed as subject to review in the State's coastal zone management plan, applicant (with, or prior to its filing) must certify (pursuant to 15 CFR 930.57 and 930.58) that the proposed action is consistent with the coastal zone management plan.

(2) If the activity is not listed, applicant (with, or prior to its filing) must certify that actual notice of the proposal was given to the State coastal zone manager at least 40 days before the effective date of the requested action.

(b) If there is consistency review under 15 CFR 930.54, the Board and the applicant will comply with the consistency certification procedures of 15 CFR 930. Also, the Board will withhold a decision, stay the effective date of a decision, or impose a condition delaying consummation of the action, until the applicant has submitted a consistency certification and either the state has concurred in the consistency certification, or an appeal to the Secretary of Commerce (under 15 CFR 930.64(e)) is successful.

Not applicable since the proposed action does not affect land or water uses within a State coastal zone.

END OF REPORT

EXHIBIT NO. 1

(List of Parties Consulted and
Certificate of Service of Environmental and Historic Report)

(49 C.F.R. § 1105.7(c))

**CERTIFICATE OF SERVICE
OF
ENVIRONMENTAL AND HISTORIC REPORTS**

I hereby certify that on November 21, 2003, I served the Environmental Report and Historic Report relative to Surface Transportation Board Docket No. AB-444 (Sub-No. 1X) pursuant to 49 C.F.R. §§ 1152.50, 1105.7(b) and 1105.11 by first-class United States mail, postage prepaid, upon the parties listed on the attached Environmental Contact List, with which I had previously consulted by letter dated October 21, 2003.

Dated at Montpelier, Vermont, this 21st day of November, 2003.


James B. Fitzgerald

LAMOILLE VALLEY RAILROAD COMPANY

c/o Vermont Agency of Transportation, Rail Section
National Life Building
Drawer 33
Montpelier, Vermont 05633-5001

James B. Fitzgerald
802-828-3628
james.fitzgerald@state.vt.us

October 21, 2003

TO: ALL PARTIES ON THE ATTACHED ENVIRONMENTAL CONTACT LIST

Re: Docket No. AB-444 (Sub-No. 1X)
Lamoille Valley Railroad Company – Abandonment and Discontinuance
Exemption – In Caledonia, Washington, Orleans, Lamoille and Franklin
Counties, Vermont

Dear Sir/Madam:

Lamoille Valley Railroad Company ("LVRC"), in cooperation with the State of Vermont Agency of Transportation ("VAOT"), expects shortly to file with the Surface Transportation Board ("Board") a notice of exemption from the provisions of 49 U.S.C. § 10903 to abandon: (1) a certain railroad right-of-way located between approximately milepost 0.057 (SJLC valuation station 3+00) in St. Johnsbury, Vermont and approximately milepost 95.324 (SJLC valuation station 5033+10) in Swanton, Vermont, a distance of approximately 95.26 miles; and (2) the Hardwick & Woodbury ("H&W") Connecting Track between approximately H&W valuation station 0+00 (Granite Junction) and approximately H&W valuation station 80+48 (Buffalo Road), a distance of approximately 1.52 miles in Hardwick, Vermont (collectively, the "Subject Line"). The total distance of the Subject Line is approximately 96.78 miles within Caledonia, Washington, Orleans, Lamoille and Franklin Counties, Vermont. A map showing the location of the Subject Line is attached for your reference.

LVRC also will seek Board approval for discontinuance of its trackage rights over the former Central Vermont Railway, Inc. ("CVR") line between approximately milepost 9.9 at the north abutment of the Missisquoi River Bridge at Sheldon Junction, Vermont, and approximately milepost 27.4 at Richford, Vermont (the "Richford Subdivision"). On February 6, 1992, CVR filed a notice of exemption to abandon the Richford Subdivision. The notice became effective on March 28, 1992. LVRC did not seek discontinuance

Environmental Contact List
October 21, 2003
Page 2

authority at that time. VAOT currently owns and manages a rail-trail on the Richford Subdivision. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50. A map showing the location of the Richford Subdivision (now identified as the "Missisquoi Valley Rail Trail") is attached for your reference.

In accordance with the Board's environmental regulations, 49 C.F.R. § 1105, we are advising you of the proposed abandonment so that you may assist us in identifying any potential effects it may have on the following:

1. Regional or local land use plans;
2. Regional or local transportation systems and patterns, including alternative transportation modes;
3. Energy consumption and efficiency;
4. Air emissions and noise levels;
5. Bodies of water and overall water quality under applicable federal, state or local standards;
6. Designated wetlands and 100-year flood plains;
7. Endangered or threatened species and critical habitats;
8. Wildlife sanctuaries or refuges and national or state parks or forests;
9. Existing or potential safety hazards; or
10. Coastal Zone Management Areas.

Please also advise us if permits under Section 402 or 404 of the Clean Water Act (33 U.S.C. §§ 1342, 1344) are required for the proposed abandonment.

No rail freight operations of any kind have occurred on the Subject Line or the Richford Subdivision for at least two years. Accordingly, we foresee no adverse environmental effects given the limited nature of the proposed abandonment. We would appreciate your review of the proposed action and provision of any comments you may have in a written response as soon as possible. Any written comments should reference Docket No. AB-444 (Sub-No. 1X) and be sent to:

Mr. James B. Fitzgerald
Vermont Agency of Transportation, Rail Section
National Life Building
Drawer 33
Montpelier, VT 05633-5001]

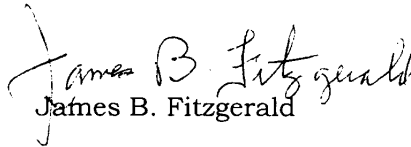
Environmental Contact List
October 21, 2003
Page 3

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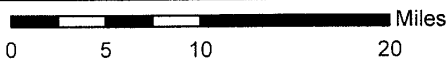
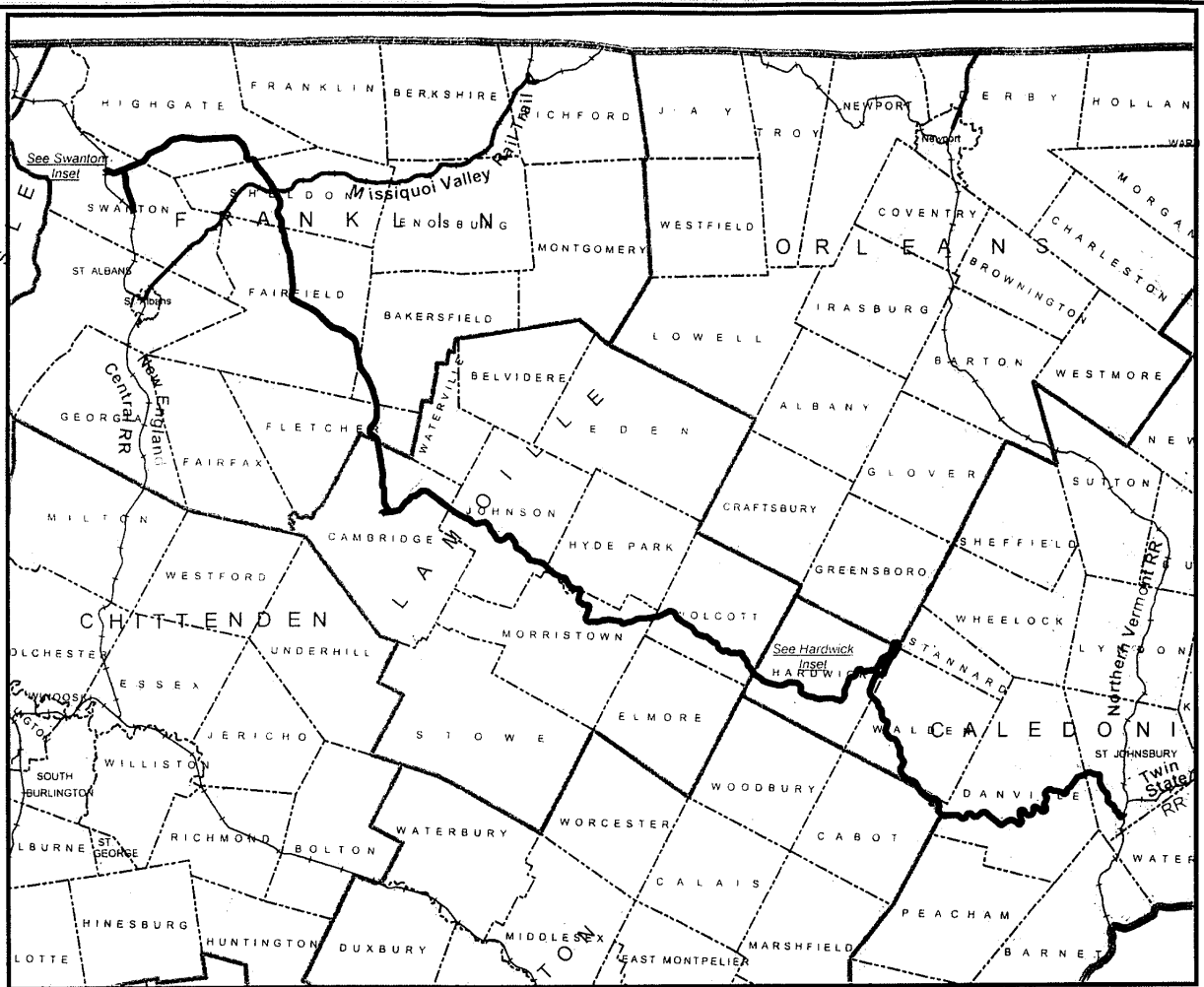
Surface Transportation Board
Section of Environmental Analysis
Room 500
1925 K Street, N.W.
Washington, D.C. 20423-0001

In accordance with the Board's regulations, a copy of the Environmental Report prepared in connection with this abandonment will be forwarded to you at least twenty days before the notice of exemption is filed at the Board. If you have any questions or need additional information in the meantime, please feel free to contact James B. Fitzgerald at (802) 828-3628.

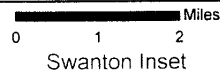
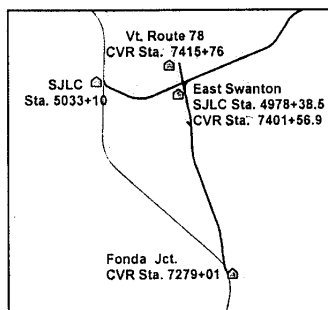
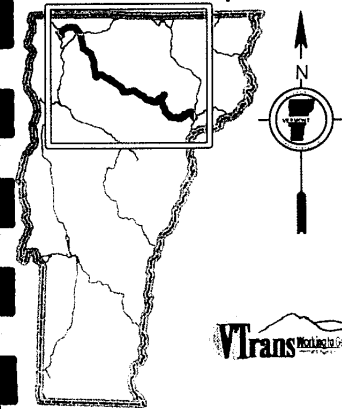
Very truly yours,


James B. Fitzgerald

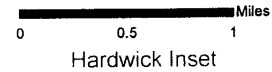
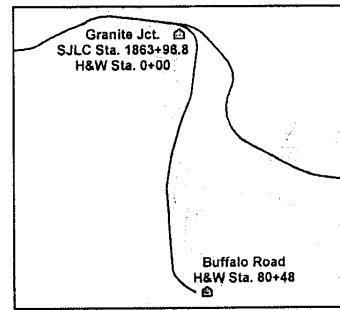
Enclosure



Location Map



Swanton Inset



Hardwick Inset

Lamoille Valley Railroad St. Johnsbury - Swanton Vermont

ENVIRONMENTAL CONTACT LIST

Lamoille Valley Railroad Company — Abandonment and Discontinuance Exemption —
In Caledonia, Washington, Orleans, Lamoille and Franklin Counties, Vermont
Docket No. AB-444 (Sub-No. 1X)

FEDERAL AGENCIES CONSULTED:

U.S. Environmental Protection Agency

Mr. Robert W. Varney, Regional Administrator
U.S. Environmental Protection Agency, Region I
One Congress Street, Suite 1100
Boston, MA 02114-2023
(617) 918-1399

U.S. Fish and Wildlife Service

Regional Director
U.S. Fish & Wildlife Service
300 West Gate Center Drive
Hadley, MA 01035-9589
(413) 253-8200

U.S. Army Corps of Engineers

U.S. Army Corps of Engineers
New England District, Regulatory Branch
Vermont Project Office
8 Carmichael Street, Suite 205
Essex Junction, VT 05452
(802) 872-2893

National Park Service

National Park Service
Northeast Region
U.S. Custom House
200 Chestnut Street, Fifth Floor
Philadelphia, PA 19106
(215) 597-7013

U.S. Soil & Conservation Service

Ms. Frances M. Keeler, State Conservationist
USDA Natural Resources Conservation Service
356 Mountain View Drive, Suite 105
Colchester, VT 05446
(802) 951-6795

National Geodetic Survey

National Oceanic and Atmospheric Administration
National Geodetic Survey
1315 East-West Highway
Silver Spring, MD 20910-3282
(301) 713-3425

STATE AGENCIES CONSULTED:

State Clearinghouse

Office of Policy Research & Coordination
Pavilion Office Building
109 State Street
Montpelier, VT 05609
(802) 828-3333

State Agency of Transportation

Ms. Patricia A. McDonald, Secretary
Vermont Agency of Transportation
National Life Building
Drawer 33
Montpelier, VT 05633-5001
(802) 828-2657

State Environmental Protection Agency

Ms. Elizabeth A. McLain, Secretary
Vermont Agency of Natural Resources
103 South Main Street, Center Building
Waterbury, VT 05671-0301
(802) 241-3600

Mr. Jeffrey Wennberg, Commissioner
Department of Environmental Conservation
103 South Main Street, One South
Waterbury, VT 05671-0401
(802) 241-3808

Mr. Wayne LaRoche, Commissioner
Department of Fish & Wildlife
103 South Main Street, 10 South
Waterbury, VT 05671-0501
(802) 241-3700

Mr. Jonathan Wood, Commissioner
Department of Forests, Parks & Recreation
103 South Main Street, 10 South
Waterbury, VT 05671-0601
(802) 241-3670

State Historic Preservation Office

Division for Historic Preservation
Agency of Commerce & Community Development
National Life Building, 6th Floor
Drawer 20
Montpelier, VT 05620-0501
(802) 828-3211

State Coastal Zone Management Agency

Not applicable

REGIONAL PLANNING COMMISSIONS:

Caledonia and Orleans Counties

Mr. Steven Patterson, Executive Director
Northeastern Vermont Development Association
P.O. Box 630
St. Johnsbury, VT 05819
(802) 748-5181

Washington County

Ms. Susan Sinclair, Executive Director
Central Vermont Regional Planning Commission
29 Main Street, Suite 4
Montpelier, VT 05602
(802) 229-0389

Lamoille County

Ms. Michele Boomhower, Executive Director
Lamoille County Planning Commission
P.O. Box 1009
Morrisville, VT 05661-1009
(802) 888-4548

Franklin County

Ms. Catherine Dimitruk, Executive Director
Northwest Regional Planning Commission
7 Lake Street, Suite 201
St. Albans, VT 05478
(802) 524-5958

OTHER POLITICAL ENTITIES THROUGH WHICH THE LINE RUNS:

Town of St. Johnsbury (Caledonia County)

Selectboard
c/o Ms. Sandra P. Grenier, Town Clerk
Town of St. Johnsbury
1187 Main Street, Suite 2
St. Johnsbury, VT 05819
(802) 748-4331

Planning Commission
c/o Ms. Sandra P. Grenier, Town Clerk
Town of St. Johnsbury
1187 Main Street, Suite 2
St. Johnsbury, VT 05819
(802) 748-4331

Town of Danville (Caledonia County)

Selectboard
c/o Ms. Virginia W. Morse, Town Clerk
Town of Danville
P.O. Box 183
Danville, VT 05828
(802) 684-3352

Planning Commission
c/o Ms. Virginia W. Morse, Town Clerk
Town of Danville
P.O. Box 183
Danville, VT 05828
(802) 684-3352

Town of Cabot (Washington County)

Selectboard
c/o Mr. Christopher Kaldor, Town Clerk
Town of Cabot
Box 36
Cabot, VT 05647
(802) 563-2279

Planning Commission
c/o Mr. Christopher Kaldor, Town Clerk
Town of Cabot
Box 36
Cabot, VT 05647
(802) 563-2279

Town of Walden (Caledonia County)

Selectboard
c/o Ms. Lina Smith, Town Clerk
Town of Walden
12 VT Route 215
West Danville, VT 05873
(802) 563-2220

Planning Commission
c/o Ms. Lina Smith, Town Clerk
Town of Walden
12 VT Route 215
West Danville, VT 05873
(802) 563-2220

Town of Hardwick (Caledonia County)

Selectboard
c/o Mr. Gerald S. Hall, Town Clerk
Town of Hardwick
P.O. Box 523
Hardwick, VT 05843
(802) 472-5971

Planning Commission
c/o Mr. Gerald S. Hall, Town Clerk
Town of Hardwick
P.O. Box 523
Hardwick, VT 05843
(802) 472-5971

Town of Greensboro (Orleans County)

Selectboard
c/o Ms. Bridget A. Collier, Town Clerk
Town of Greensboro
P.O. Box 119
Greensboro, VT 05841
(802) 533-2911

Planning Commission
c/o Ms. Bridget A. Collier, Town Clerk
Town of Greensboro
P.O. Box 119
Greensboro, VT 05841
(802) 533-2911

Town of Wolcott (Lamoille County)

Selectboard
c/o Ms. Linda J. Martin, Town Clerk
Town of Wolcott
P.O. Box 100
Wolcott, VT 05680
(802) 888-2746

Planning Commission
c/o Ms. Linda J. Martin, Town Clerk
Town of Wolcott
P.O. Box 100
Wolcott, VT 05680
(802) 888-2746

Town of Morristown (Lamoille County)

Selectboard
c/o Ms. Mary Ann Wilson, Town Clerk
Town of Morristown
P.O. Box 748
Morrisville, VT 05661
(802) 888-6370

Planning Commission
c/o Ms. Mary Ann Wilson, Town Clerk
Town of Morristown
P.O. Box 748
Morrisville, VT 05661
(802) 888-6370

Village of Morrisville (Lamoille County)

Board of Trustees
c/o Ms. Mary Ann Wilson, Village Clerk
Village of Morrisville
P.O. Box 748
Morrisville, VT 05661
(802) 888-6370

Planning Commission
c/o Ms. Mary Ann Wilson, Village Clerk
Village of Morrisville
P.O. Box 748
Morrisville, VT 05661
(802) 888-6370

Town of Hyde Park (Lamoille County)

Selectboard
c/o Mr. Gary L. Anderson, Town Clerk
Town of Hyde Park
P.O. Box 98
Hyde Park, VT 05655
(802) 888-2300

Planning Commission
c/o Mr. Gary L. Anderson, Town Clerk
Town of Hyde Park
P.O. Box 98
Hyde Park, VT 05655
(802) 888-2300

Town of Johnson (Lamoille County)

Selectboard
c/o Ms. Rosemary Audibert, Town Clerk
Town of Johnson
P.O. Box 383
Johnson, VT 05676
(802) 635-2611

Planning Commission
c/o Ms. Rosemary Audibert, Town Clerk
Town of Johnson
P.O. Box 383
Johnson, VT 05676
(802) 635-2611

Town of Cambridge (Lamoille County)

Selectboard
c/o Ms. Jane N. Porter, Town Clerk
Town of Cambridge
P.O. Box 127
Jeffersonville, VT 05464
(802) 644-2251

Planning Commission
c/o Ms. Jane N. Porter, Town Clerk
Town of Cambridge
P.O. Box 127
Jeffersonville, VT 05464
(802) 644-2251

Town of Fletcher (Franklin County)

Selectboard
c/o Ms. Elaine C. Sweet, Town Clerk
Town of Fletcher
215 Cambridge Road
Cambridge, VT 05444
(802) 849-6616

Planning Commission
c/o Ms. Elaine C. Sweet, Town Clerk
Town of Fletcher
215 Cambridge Road
Cambridge, VT 05444
(802) 849-6616

Town of Bakersfield (Franklin County)

Selectboard
c/o Ms. Joyce Morin, Town Clerk
Town of Bakersfield
P.O. Box 203
Bakersfield, VT 05441
(802) 827-4495

Planning Commission
c/o Ms. Joyce Morin, Town Clerk
Town of Bakersfield
P.O. Box 203
Bakersfield, VT 05441
(802) 827-4495

Town of Fairfield (Franklin County)

Selectboard
c/o G. F. Longway, Town Clerk
Town of Fairfield
P.O. Box 5
Fairfield, VT 05455
(802) 827-3261

Planning Commission
c/o G. F. Longway, Town Clerk
Town of Fairfield
P.O. Box 5
Fairfield, VT 05455
(802) 827-3261

Town of Sheldon (Franklin County)

Selectboard
c/o Ms. Susan A. Burnor, Town Clerk
Town of Sheldon
P.O. Box 66
Sheldon, VT 05483
(802) 933-2524

Planning Commission
c/o Ms. Susan A. Burnor, Town Clerk
Town of Sheldon
P.O. Box 66
Sheldon, VT 05483
(802) 933-2524

Town of Highgate (Franklin County)

Selectboard
c/o Ms. Cora A. Baker, Town Clerk
Town of Highgate
P.O. Box 67
Highgate Center, VT 05459
(802) 868-4697

Planning Commission
c/o Ms. Cora A. Baker, Town Clerk
Town of Highgate
P.O. Box 67
Highgate Center, VT 05459
(802) 868-4697

Town of Swanton (Franklin County)

Selectboard
c/o Ms. Doris H. Raleigh, Town Clerk
Town of Swanton
P.O. Box 711
Swanton, VT 05488
(802) 868-4421

Planning Commission
c/o Ms. Doris H. Raleigh, Town Clerk
Town of Swanton
P.O. Box 711
Swanton, VT 05488
(802) 868-4421

Village of Swanton (Franklin County)

Board of Trustees
c/o Ms. Christine Davis, Village Clerk
Village of Swanton
P.O. Box 279
Swanton, VT 05488
(802) 868-3397

Planning Commission
c/o Ms. Christine Davis, Village Clerk
Village of Swanton
P.O. Box 279
Swanton, VT 05488
(802) 868-3397

Town of Enosburg (Franklin County)

Selectboard
c/o Ms. Carolyn Simpson, Town Clerk
Town of Enosburg
P.O. Box 465
Enosburg Falls, VT 05450
(802) 933-4421

Planning Commission
c/o Ms. Carolyn Simpson, Town Clerk
Town of Enosburg
P.O. Box 465
Enosburg Falls, VT 05450
(802) 933-4421

Village of Enosburg (Franklin County)

Board of Trustees
c/o Ms. Natalie Guilmette, Village Clerk
42 Village Drive
Enosburg Falls, VT 05450
(802) 933-2559

Planning Commission
c/o Ms. Natalie Guilmette, Village Clerk
42 Village Drive
Enosburg Falls, VT 05450
(802) 933-2559

Town of Berkshire (Franklin County)

Selectboard
c/o Ms. Virginia M. Messier, Town Clerk
Town of Berkshire
4454 Watertower Road
Enosburg, VT 05450-5358
(802) 933-2335

Planning Commission
c/o Ms. Virginia M. Messier, Town Clerk
Town of Berkshire
4454 Watertower Road
Enosburg, VT 05450-5358
(802) 933-2335

Town of Richford (Franklin County)

Selectboard
c/o Mr. Gary Snider, Town Clerk
Town of Richford
P.O. Box 236
Richford, VT 05476
(802) 848-7751

Planning Commission
c/o Mr. Gary Snider, Town Clerk
Town of Richford
P.O. Box 236
Richford, VT 05476
(802) 848-7751

g:\wptext\LVRC -- Environmental Contact List.doc 10-17-2003

EXHIBIT NO. 2

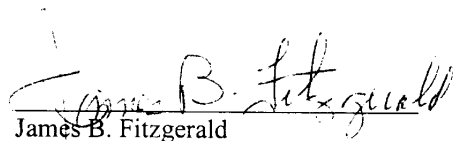
(Certification of Publication of Newspaper Notice in Newspapers of General Circulation in
Counties Where Line is Situated and Affidavits of Publication)

(49 C.F.R. § 1105.12)

**CERTIFICATE OF PUBLICATION
OF PUBLIC NOTICE IN NEWSPAPERS OF GENERAL
CIRCULATION IN COUNTIES IN WHICH SUBJECT LINE IS LOCATED**


I hereby certify that relative to Surface Transportation Board Docket No. AB-444 (Sub-No. 1X) pursuant to 49 C.F.R. §§ 1152.50 and 1105.12 a public notice was published in newspapers of general circulation in the counties in which the subject line is located, as detailed in the attached Affidavits of Publication.

Dated at Montpelier, Vermont, this 21st day of November, 2003.


James B. Fitzgerald

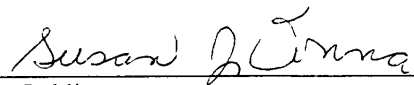
AFFIDAVIT OF PUBLICATION

I, Mark Smith, of St. Johnsbury, Vermont,
being first duly sworn, do depose and say that I am publisher of
the **St. Johnsbury Caledonian-Record**, a daily newspaper published in the Town of St.
Johnsbury, County of Caledonia, and State of Vermont, and that the attached "Notice of Intent to
File" was regularly published in said newspaper on the following date: Oct 25
2003.



STATE OF VERMONT)
CALEDONIA COUNTY, ss.)

Subscribed and sworn to before me, this 1 day of November, 2003.


Notary Public
(My commission expires Feb. 10, 2007)

ST. JOHNSBURY CALEDONIAN-RECORD

St. Johnsbury (Caledonia County), Vermont

October 25, 2003, Page B8

Before the
Surface Transportation Board
Washington, D.C.

10-25-03
Docket No. AB-444 (Sub-No. 1X)

LAMOILLE VALLEY RAILROAD COMPANY - ABANDONMENT
EXEMPTION - IN CALEDONIA, WASHINGTON, ORLEANS,
LAMOILLE AND FRANKLIN COUNTIES, VERMONT

NOTICE OF INTENT TO FILE

The Lamoille Valley Railroad Company ("LVRC"), in cooperation with the State of Vermont's Agency of Transportation ("VTrans"), gives notice that it expects shortly to file with the Surface Transportation Board ("Board"), Washington, DC 20423, a notice of exemption under 49 CFR 1152 Subpart F - Except Abandonments permitting the abandonment of: (1) a 95.26-mile line of railroad between approximately railroad milepost 0.057 (SJLC valuation station 3+00), near St. Johnsbury, Vt. and approximately railroad milepost 95.324 (SJLC valuation station 5033+10), near Swanton, Vt., which traverses through United State Postal Service ZIP Codes 05819, 05828, 05647, 05873, 05843, 05842, 05843, 05860, 05661, 05655, 05656, 05464, 05444, 05441, 05455, 05483, 05459 and 05488, in Caledonia, Washington, Orleans, Lamoille and Franklin Counties, Vt. and (2) the Hardwick and Woodbury ("H&W") Connecting Track, a 1.52-mile line of railroad between approximately H&W valuation station 0+00 (Granite Junction) and approximately H&W valuation station 80+48 (Buffalo Road) in Hardwick, Vt., which traverses through United State Postal Service ZIP Code 05843, in Caledonia County, Vt. (collectively, the "Subject Line"). The total distance of the Subject Line is approximately 96.78 miles. The proceeding will be docketed as No. AB-444 (Sub-No. 1X).

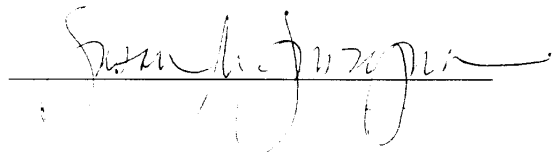
LVRC also will seek Board approval for discontinuance of its trackage rights over the former Central Vermont Railway, Inc. ("CVR") line between approximately CVR milepost 9.9 at the north abutment of the Missisquoi River Bridge at Sheldon Junction, Vt. and approximately CVR milepost 27.4 at Richford, Vt. (the "Richford Subdivision"), which traverses through United State Postal Service ZIP Codes 05483, 05450, 05447 and 05476 in Franklin County, Vt. On February 6, 1992, CVR filed a notice of exemption to abandon the Richford Subdivision. The notice became effective on March 28, 1992. LVRC did not seek discontinuance authority at that time. VTrans currently owns and manages a rail trail on the Richford Subdivision. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50.

The Board's Section of Environmental Analysis (SEA) will generally prepare an Environmental Assessment (EA), which will normally be available 25 days after the filing of the notice of exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to the Section of Environmental Analysis (SEA), Surface Transportation Board, Room 500, 1925 K Street, N.W., Washington, DC 20423-0001 or by calling that office at 202-927-6211.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assistance) must be filed directly with the Board's Office of the Secretary, 1925 K Street, N.W., Washington, DC 20423 [See 49 CFR 1104.1(a) and 1104.3(a)], and one copy must be served on applicant's representative [See 49 CFR 1104.12(a)]. Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Congressional and Public Services at 202-927-7597. Copies of any comments or requests for conditions should be served on the applicant's representative: James B. Fitzgerald, Lamoille Valley Railroad Company, c/o VTrans Rail Section, National Life Building, Drawer 33, Montpelier, VT 05633-5001 (802-828-3628).

AFFIDAVIT OF PUBLICATION

I, Susan M. Taczala, of Hardwick, Vermont,
being first duly sworn, do depose and say that I am Co-Publisher of
the **Hardwick Gazette**, a weekly newspaper published in the Town of Hardwick, County of
Caledonia, and State of Vermont, and that the attached "Notice of Intent to File" was regularly
published in said newspaper on the following date: Oct. 29, 2003.



STATE OF VERMONT)
CALEDONIA COUNTY, ss.)

Subscribed and sworn to before me, this 12 day of November, 2003.



Notary Public
(My commission expires Feb. 10, 2007)

HARDWICK GAZETTE
Hardwick (Caledonia County), Vermont
October 29, 2003, Page 16

Before the
Surface Transportation Board
Washington, D.C.

Docket No. AB-444 (Sub-No. 1X)

LAMOILLE VALLEY RAILROAD COMPANY - ABANDONMENT
EXEMPTION - IN CALEDONIA, WASHINGTON, ORLEANS,
LAMOILLE, AND FRANKLIN COUNTIES, VERMONT

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AFFIDAVIT OF PUBLICATION

I, Shah Sanyal, of Barre, Vermont,
being first duly sworn, do depose and say that I am Accounting Clerk of
the **Barre-Montpelier Times-Argus**, a daily newspaper published in the City of Barre, County
of Washington, and State of Vermont, and that the attached "Notice of Intent to File" was
regularly published in said newspaper on the following date: October 22, 2003.

Shah Sanyal

STATE OF VERMONT)
WASHINGTON COUNTY, ss.)

Subscribed and sworn to before me, this 29th day of Oct, 2003.

Linda Zimmey
Notary Public
(My commission expires Feb. 10, 2007)

BARRE-MONTPELIER TIMES-ARGUS

Barre (Washington County), Vermont

October 28, 2003, Page C3

**Before the Surface Transportation Board
Washington, D.C.**

Docket No. AB-444 (Sub-No. 1X)

**LAMOILLE VALLEY RAILROAD COMPANY — ABANDONMENT
EXEMPTION — IN CALEDONIA, WASHINGTON, ORLEANS,
LAMOILLE, AND FRANKLIN COUNTIES, VERMONT**

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AFFIDAVIT OF PUBLICATION

I, Richard Beard, of Newport, Vermont,
being first duly sworn, do depose and say that I am Publisher of
the **Newport Daily Express**, a daily newspaper published in the City of Newport, County of
Orleans, and State of Vermont, and that the attached "Notice of Intent to File" was regularly
published in said newspaper on the following date: 10/27/03, 2003.

Richard Beard

STATE OF VERMONT)
ORLEANS COUNTY, ss.)

Subscribed and sworn to before me, this 12th day of November, 2003.

Carol A. Temple
Notary Public
(My commission expires Feb. 10, 2007)

THE NEWPORT DAILY EXPRESS
Newport (Orleans County), Vermont
October 27, 2003, Page 9

Before the
Surface Transportation Board
Washington, D.C.
Docket No. AB-444 (Sub-No. 1X)

LAMOILLE VALLEY RAILROAD COMPANY - ABANDONMENT
EXEMPTION - IN CALEDONIA, WASHINGTON, ORLEANS,
LAMOILLE, AND FRANKLIN COUNTIES, VERMONT

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AFFIDAVIT OF PUBLICATION

I, John E. A., of N., Vermont,
being first duly sworn, do depose and say that I am owner/publisher of
the **Morrisville News & Citizen**, a weekly newspaper published in the Town of Morristown,
County of Lamoille, and State of Vermont, and that the attached "Notice of Intent to File" was
regularly published in said newspaper on the following date: Oct 30, 2003.

John E. A.

STATE OF VERMONT)
LAMOILLE COUNTY, ss.)

Subscribed and sworn to before me, this 7 day of November, 2003.

Linda Washford
Notary Public
(My commission expires Feb. 10, 2007)

MORRISVILLE NEWS & CITIZEN
Morrisville (Lamoille County), Vermont
October 30, 2003, Page 12

Before the
Surface Transportation Board
Washington, D.C.

Docket No. AB-444 (Sub-No. 1 X)

LAMOILLE VALLEY RAILROAD COMPANY -
ABANDONMENT EXEMPTION IN CALEDONIA,
WASHINGTON, ORLEANS, LAMOILLE, AND
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AFFIDAVIT OF PUBLICATION

I, Emily Quimette, of St Albans, Vermont,
being first duly sworn, do depose and say that I am Emily Quimette of
the **St. Albans Messenger**, a daily newspaper published in the City of St. Alban s, County of
Franklin, and State of Vermont, and that the attached "Notice of Intent to File" was regularly
published in said newspaper on the following date: October 24, 2003.

STATE OF VERMONT)
FRANKLIN COUNTY, ss.)

Subscribed and sworn to before me, this 13TH day of NOV., 2003.

Richard J. Petros
Notary Public

(My commission expires Feb. 10, 2007)

THE ST. ALBANS MESSENGER
St. Albans (Franklin County), Vermont
October 24, 2003, Page 15

**Before the Surface
Transportation Board
Washington, D.C.
Docket No. AB-444
(Sub-No. 1X)**

**LAMOILLE VALLEY
RAILROAD COMPANY -
ABANDONMENT EXEMPTION
- IN CALEDONIA,
WASHINGTON, ORLEANS,
LAMOILLE, AND FRANKLIN
COUNTIES, VERMONT**

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155 Legals

Surface Transportation Board, Room 500, 1925 K Street, N.W., Washington, DC 20423-0001 or by calling that office at 202-927-6211.

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EXHIBIT NO. 3

(Responses to Environmental Scoping Correspondence Sent October 21, 2003)

(49 C.F.R. § 1105.7(d))

TOWN OF SWANTON

Town Administrator
P.O. Box 711
Swanton, Vermont 05488
Tel. (802) 868-7418 • Fax (802) 868-4957
E-mail: swanadm@adelphia.net



October 27, 2003

Mr. James B. Fitzgerald
Vermont Agency of Transportation
Rail Division
National Life Building, Drawer 33
Montpelier, VT 05633

Dear Jim:

Per our phone conversation of Thursday, October 23, 2003, I am writing on behalf of the Swanton Town Selectboard to express our interest in acquiring ownership of a section of railbed in the Town of Swanton.

After reviewing your letter of October 21, 2003 relative to the Abandonment and Discontinuance Exemption of The Lamoille Valley Railroad from St. Johnsbury to Swanton, it became evident to me that the Town of Swanton should pursue acquiring a portion of railbed that is an integral element of our long range transportation plans. The portion of railbed that we are interested in is from Route 7 at John's Bridge to the Lamoille Valley Railroad bed at the former site of the Swanton East Station or commonly known as "The Diamond." I have enclosed an orthophoto with that section of railbed highlighted in yellow. With the dismantling of the LVRB tracks, it is obvious that this section of railbed has no value since there would be no tracks to connect to. However, it has substantial value to the Town of Swanton's transportation plans.

As I explained on the phone, the Town of Swanton has a long-range transportation plan that includes using this section of railbed as a road to connect Route 78 in the vicinity of I-89, exit 21, with Route 7. The ultimate goal is to allow all wood chip and limestone trucks coming from the east to bypass the village. We would also route all truck traffic entering Swanton from the west on Route 78 down Route 7 to this bypass to I-89, exit 21, thus eliminating the need for this truck traffic to have to negotiate the rather dangerous and difficult turn at the corner of Route 78 and Route 7 in Swanton's downtown. Route 78 is the connecting highway between I-87 and I-89 and as a result, 19% of the traffic passing through Swanton's downtown is truck traffic, which is nearly twice the state average. We feel that ownership of this railbed will position us to realize our long-term transportation plans and vastly improve the traffic patterns in Swanton.

Page Two
Mr. James B. Fitzgerald

Please contact me at 868-7418 if you have any questions or require additional information.

Sincerely,



Richard J. Thompson
Town Administrator

cc: Rep. John S. Winters
Sen. Donald Collins
Swanton Town Selectboard



Town of St. Johnsbury

Michael A. Welch, Town Manager

1187 Main Street, Suite #2

St. Johnsbury, VT 05819

Phone: (802) 748-3926 Fax: 748-1267

Home Phone: (802) 748-8599

e-mail: mwelch@town.st-johnsbury.vt.us

October 27, 2003

Mr. James B. Fitzgerald
Vermont Agency of Transportation, Rail section
National Life Building
Drawer 33
Montpelier, VT 05633-5001

RE: Abandonment and Discontinuance Exemption
Lamoille Valley Railroad

Dear Mr. Fitzgerald;

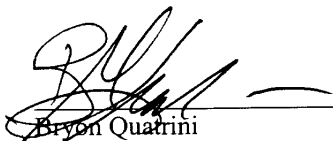
We are in receipt of your Notification dated October 21, 2003 regarding the proposed Abandonment and Discontinuance Exemption for 96.78 miles of the Lamoille Valley Railroad located in Caledonia, Washington, Orleans, Lamoille, and Franklin Counties, Vermont.

On behalf of the Town of St. Johnsbury, we would like to inform you that we strongly support the request for Abandonment and Discontinuance.

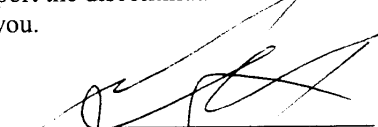
Our Board has been appraised of the plans to develop the Lamoille Valley Recreational Trail along this abandoned rail corridor – and we understand that it is the intention of VTRANS to lease a portion of the former Lamoille Valley Line in St. Johnsbury to the Town of St. Johnsbury.


The potential for new, four-season, recreational opportunities along this abandoned rail corridor will be a welcome enhancement here in the Northeast Kingdom.

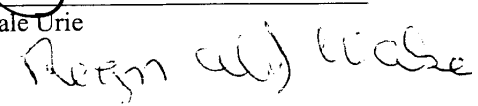
Once, again, we strongly support the discontinuance and abandonment of rail and trackage over this 96.78 mile corridor. Thank you.


Bryon Quatrini


Elwin Cross


Gabriel Handy, Chair Select Board


Dale Urie


Reginald Wakeham

Timothy D. Phelps
P. O. Box 67
East Hardwick, Vermont 05836
November 4, 2003

The Surface Transportation Board
Office of the Secretary,
1925 K Street, N.W., Washington, DC 20423

Re: LVRC and VTRANS
Notice of Intent to File for Abandonment Exemption
STB Docket No. AB-444 (Sub-No. 1X)

Certificate of Service - LVRC

This will certify that one copy of this letter (protest) and all attachments have been served on the LVRC through the applicant's representative, sent to the address included in the published NOTICE OF INTENT TO FILE for an Abandonment Exemption, STB Docket No. AB-444, Sub-No. 1X (Attachment 1 to the original letter), which address is as follows:

James B Fitzgerald,
Lamoille Valley Railroad Company
c/o Vtrans Rail Section,
National Life Building,
Drawer 33, Montpelier VT 05633-5001

Signed:



Timothy D. Phelps

Date:

11/04/03

Timothy D. Phelps
P. O. Box 67
East Hardwick, Vermont 05836
November 4, 2003

The Surface Transportation Board
Office of the Secretary,
1925 K Street, N.W., Washington, DC 20423

Re: LVRC and VTRANS
Notice of Intent to File for Abandonment Exemption
STB Docket No. AB-444 (Sub-No. 1X)

To The Board:

The Lamoille Valley Railroad Company (LVRC), acting in cooperation with the State of Vermont's Agency of Transportation (VTRANS) has published a NOTICE OF INTENT TO FILE for an Abandonment Exemption (STB Docket No. AB-444, Sub-No. 1X) for the 95.26 mile railroad line between St. Johnsbury, Vermont, and Swanton, Vermont, as well as various other short connecting tracks, totaling 96.78 miles overall and collectively identified as the Subject Line. The NOTICE OF INTENT TO FILE is attached (designated as Attachment 1), as it appeared in the *Hardwick Gazette* of October 29, 2003. It is my understanding that the State of Vermont is the Owner of the Subject Line, and that the Leaseholder/Operator is the LVRC, although the LVRC has made no attempt to actually operate rail freight service on the Subject Line since at least 1994, in spite of documented interest by on-line shippers for rail service.

With this letter, I hereby request that the Board disallow the LVRC and VTRANS petition for an Abandonment Exemption for out of service lines, as provided in 49CFR Part 1152 Subpart F, for the Subject Line. There are unique circumstances relating to this particular railroad due to the fact that both the Owner of the railroad line (the State of Vermont, represented by VTRANS) and the Leaseholder for the line (LVRC) have acted in such a way as to absolutely deny any railroad service to shippers on this rail line for a period of approximately 8 years, from 1995 continuing until the present, even though interest in rail freight service on the part of on-line shippers had been made known during this time. Also, throughout this same time, even as the LVRC and VAOT made no attempt to provide rail freight service to these identified shippers, other possible operators had expressed an interest in providing rail freight service on the line, with initial traffic (as verified by independent consultants retained by VTRANS) estimated to be between 750 and 1000 cars per year. As such, the total absence of rail freight traffic over this 8 year period has been to a large degree directly caused by the Operator and Leaseholder, since there had been documented interest in both the providing of and the receiving of rail freight service on this rail line, which was prevented from happening by the parties (VTRANS and LVRC) that controlled the operation of the line. Independent consultant studies made for the Owner (VTRANS) included documentation of interviews with

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shippers indicating that no effort was made by the LVRC to contact and provide service to the known on-line shippers who desired rail freight service, yet based on this knowledge, the Owner made no effort to expeditiously correct this situation or to replace the Operator.

Furthermore, while making no effort to actually provide rail service, beginning in September 1996 the Owner began the abandonment of several bridges on the rail line, the dismantling of several sections of track to facilitate highway construction, and also proceeded to totally pave and/or grade over a large number of the highway grade crossings along the rail line. This destruction of specific elements of the rail infrastructure communicated a crystal clear message to the public that there was no intent or possibility that rail service would ever be provided by the Owner again. While it is true that in 1995 flooding had caused a number of washouts along the railroad, the additional, intentional man-made destruction of rail infrastructure absolutely cut the line in St. Johnsbury, denying access to some shippers that could still have been served, and generally served to discourage the resumption of service by substantially increasing the costs to restore the line, over and above those caused by the aforementioned Acts of God.

Also during this time, while absolutely no rail service was being provided, the Owner elected to begin a long, cumbersome process of "best-use" selection, encouraging both rail and non-rail proposals to compete for the use of the rail right-of-way, which effectively initiated an "alternative" abandonment process that was widely reported in the local press. This alternative abandonment process pitted potential rail operators against interest groups that were lobbying the state government specifically for the abandonment of the rail service so the line could be taken and converted to a recreational trail, and as time went on at least two rounds of mixed rail and non-rail "use" proposals were solicited. For the entire time that this rail versus trail evaluation process went on, no effort was made by VTRANS or LVRC to provide freight service to the shippers on the line that actually desired rail service. Finally, a citizens group was tasked to evaluate the most recent set of proposals, and to make recommendations for the future use for the right-of-way, which finally was to abandon the railroad service. From what little is known of this evaluation process, it is doubtful that the needs of present and future shippers were fully considered, and no "decision" report documenting the public input received, and defining the details of the process used to arrive at the final rail abandonment recommendation, has ever been made available to the public. This poorly documented recommendation, especially in the light of the failure of the Owner and Leaseholder to service the known shippers desiring to ship by rail, along with the preliminary abandonment of the rail infrastructure (which further increased the cost and difficulty of resuming rail operation), should not be allowed to become a substitute for a proper proceeding before the Board. Additional discussion of these several circumstances, with supporting cross-references, follows.

The Owner and Leaseholder were aware of shipper complaints and shipper letters of intent for service during this 8 year period, however made no attempt to correct the service deficiencies and to actually provide rail freight service. Although flooding in

1995 had caused a number of washouts on the line, there had been an expressed interest by several other potential operators to make repairs and resume some rail service, however these efforts were resisted by LVRC. This fact was repeatedly reported in contemporary newspaper accounts. Public testimony received by VTRANS in December 1996 and early 1997 included shipper complaints of very poor service and actual denial of service, dating to a time preceding the 1995 washouts. It should also be noted that FEMA funding to repair these washouts was denied because there was then no active rail freight service, so the end result of the prior discouragement of the freight business was to make it impossible to expeditiously repair the flood damage. In October of 2001, VTRANS retained an independent consulting firm, Stone Consulting and Design (SC&D), to evaluate a proposal by Vermont Rail Link to operate the rail line. The Freight Operations section of this report (*Vermont Rail Link Proposal, Letter Report* dated October 2001, pages 7, 8 and 9) is attached, designated as Attachment 2. The SC&D report verified that of 12 existing on-line shippers, which collectively had expressed an interest in shipping a total of from 750 to 1000 cars per year, none of these had even been contacted by the LVRC. If there is no current rail freight traffic on this line, it is clearly because LVRC and VTRANS made absolutely no effort to serve the shippers who actually desired service, made no attempt to seek new business, and in fact blocked all attempts by others to do so.

Even more disturbing, when it became apparent in 1996 that the Leaseholder had not been providing adequate service to the shippers on the line, and had no intention of providing rail freight service in accordance with the contract between LVRC and VTRANS, it appears that no action was taken on the part of the Owner to initiate an Adverse Discontinuance proceeding before the Board in order to replace the non-performing Leaseholder/Operator. Because of this, for seven more years the shippers that were known to have been interested in receiving rail freight service were denied this service, and of course absolutely no effort was made throughout this time period to build any additional traffic beyond this already identified shipper base.

It should be noted that the Leaseholder's unacceptable performance in the operation of the Lamoille Valley Railroad is apparently not unique, and the LVRC is also identified by name in an Adverse Discontinuance proceeding (STB Docket No. AB-848, decided June 26, 2003) initiated by the Maine Central Railroad (MEC) and the New Hampshire Department of Transportation in regard to the Twin State Railroad (TSR), which connects with the Lamoille Valley Railroad at St. Johnsbury, Vermont. According to the Board's decision relating to this docket, both LVRC and TSR share the same parent company, the Northern Vermont Corporation. Since the performance of this Operator, at least in the New England region, appears to follow a similar trend, it is noted that MEC and New Hampshire DOT have indicated "that TSR has not provided service on the line since October 1999, and has not made any effort to solicit traffic or re-institute service," that "the line has not been maintained as required by the lease agreement for several years" and proposed to "seek removal of the interests of the LVRC and TSR under state law and obtain a new operator to provide service." Since the conditions appear almost identical to what had been happening on the Lamoille Valley Railroad, it would seem that

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Re: STB Docket No. AB-444, Sub-No. 1X
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a similar Adverse Discontinuance proceeding should have been progressed by VTRANS in 1996 once it became known by VTRANS that the LVRC was failing in its obligation to provide the rail freight service that shippers desired.

In spite of the fact that VTRANS and LVRC had knowledge of the desire for rail freight service by on-line shippers, as described above, the Owner and Leaseholder proceeded to allow the removal of two bridges, the removal of track through several grade crossings, and to allow a great many other grade crossings to be totally paved and/or graded over. The attached item from the *Hardwick Gazette* dated October 2, 1996 (Photo with Caption, designated Attachment 3), shows and describes the Lamoille Valley Railroad bridge over Vermont Route 15 in Walden, Vermont, being removed during the previous week. Subsequently, a similar Lamoille Valley Railroad bridge in St. Johnsbury, Vermont, was also removed, totally severing and isolating the line between these points. In addition, even while resumption of operation was being discussed, some of the engine servicing facilities at Morrisville, Vermont, were removed. This abandonment of bridges and track, along with the other highway crossing changes that caused the rail line to become impassible at these locations, isolated additional portions of line and considerably increased the necessary cost and overall difficulty of resuming rail operation. Ironically, the several highway grade crossings described above (located in the Danville, Vermont, vicinity), which had been described as being in excellent condition by independent consultants retained by VTRANS itself, were actually being torn out by VTRANS (allegedly for "safety reasons") even as shippers were being "lined up" for inclusion in the rail "use" proposals for the Subject Line, then being solicited by VTRANS! Unfortunately, the public's perception of these VTRANS actions, owing to the naturally assumed credibility of any activity undertaken by the State of Vermont as Owner, was that the railroad had already been legally and properly abandoned, when in fact there had not been any legitimate process to permanently discontinue operation and abandon the line. In addition, these random abandonment activities, the other activities of dismantling and otherwise rendering impassable the track at grade crossings sent a totally erroneous message to prospective businesses that might locate along the railroad expecting to ship freight by rail, and even to the existing shippers that continued to be interested in rail service, that there was to be no chance for rail service in the future.

These unauthorized (and presumably illegal) facility abandonments have effectively assured that the railroad will be abandoned between the specific locations (St. Johnsbury to Walden) where the two railroad bridges have been removed, since there will now be considerable cost needed to restore these two bridges at a time when there is no funding available for such replacements. With this understanding, these actions have for all practical purposes superceded any legal abandonment proceeding that might otherwise occur before the Board. It is questionable that a private sector rail operator (such as BNSF or CSXT) would have been allowed to abandon rail infrastructure in this manner, especially while proposals for rail operation were still being solicited, and while interested shippers were being denied freight service at the same time, on the very line in question. I urge the Board to consider both private and public sector railroad Owners and Operators equally in this regard, in the interest of fairness in the protection of the public

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interest. While I continue to believe that these unauthorized preliminary abandonments should never be allowed to force the final abandonment of any portion of the Subject Line, and that action should be taken to remedy the damage that has been done, this dismantling of the rail facilities has already occurred and will certainly have a real effect in the direction of encouraging abandonment of this section. With this in mind, I especially urge the Board not to allow the remainder of the Subject Line (which can still be returned to operation with repairs) to be denied a complete and proper abandonment proceeding, which will then provide the appropriate opportunity for public/shipper input and comment concerning the future of the rail line to the west of the abandoned bridge in Walden, which could be expected to still provide rail freight service from the one direction.

While the State of Vermont is to be commended for its actions since the early 1960's to save a number of rail lines that would otherwise have been abandoned, thereby enabling these lines to continue in rail operation, facilitating economic development and contributing as an important component of a balanced multi-mode transportation network, the process used to select a non-rail use for this particular rail line was unique and somewhat inconsistent with practices elsewhere in the state. As indicated by a 1996 newspaper article in the *Burlington Free Press* headlined **Caledonia Senator Hopes To Turn Old Rail Bed Into Recreation Path** (article attached, designated Attachment 4), the proponents for non-rail use of this line had set their sights on encouraging the abandonment of this railroad early on, as soon as it became apparent that LVRC had no interest in providing any service on the rail line, even while interested shippers were being denied rail service. This served to redirect the decision making process into more of a "popularity contest" between recreational use as opposed to continued rail operation of the railroad right-of-way. It should be noted that the actual rail traffic (in cars per year per mile of line) on some of the operating lines or branches of other rail lines owned by the State of Vermont appear to currently be equal or *less* than the traffic that has been predicted (and verified by independent consultants, as per Attachment 2) for the Lamoille Valley rail line, yet non-rail use was apparently never encouraged on these other lightly used lines. Examples of these currently operating light traffic rail lines presently owned by the State of Vermont are the former Canadian Pacific/Boston & Maine Connecticut River Line (White River Junction to Newport, Vermont) and the Bennington Branch (Rutland to Bennington, Vermont) of the Vermont Railway. The direction taken in regard to continued rail or trail encouragement apparently reflects purely the intent of each specific rail operator, rather than any uniform statewide policy. If a rail operator desires to operate or simply "keep" a line (such as the presently unused end of the Vermont Railway Bennington Branch), trail use does not seem to be entertained. It is my understanding that only for the Lamoille Valley Railroad line were non-rail proposals encouraged to compete with rail operation proposals, even while shippers still expressed an interest in receiving rail service. And similarly, only on the Lamoille Valley line was a citizen committee created to consider abandonment separately and apart from any other formal proceeding (as discussed below), also in spite of the documented desire by shippers for rail service. It would appear that a "double standard" was applied for this particular rail line.

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For the most recent round of submittals for "use" of the railroad right-of-way, VTRANS finally delegated an appointed citizens committee, designated the Mountain Valley Corridor Consortium (MVCC), to recommend the final "use" for the rail right-of-way. The MVCC chose non-rail use over continued rail use, as noted previously, without being required to produce a detailed "decision" report documenting any of the public input received or defining the decision making process utilized, and VTRANS subsequently accepted the MVCC recommendation to abandon the rail service. I continue to question how VTRANS, having (along with LVRC) failed to provide any rail service to shippers that it had known actually desired rail service, could accept an abandonment recommendation from a committee that surely considered the total lack of rail freight traffic itself the *major* reason for the abandonment recommendation. Would the MVCC have recommended abandonment if 1000 cars per year were being handled? Had a private rail carrier intentionally denied service to shippers and then attempted to use lack of traffic as the reason to abandon service, one would expect that the same agency (VTRANS) would have challenged that carrier's actions as being totally unethical.

The abandonment determination process undertaken by the Owner, which had involved several rounds of mixed rail and non-rail "use" proposals for the railroad right-of-way, starting back in 1998, has been reported for years now in the local press, and this has predictably given the public a somewhat misleading impression that the rail line already has been legally abandoned, when this in fact is not the case. This is clearly evident, for example, in an article from last year headlined **VAST Prepares To Rip Up The Railroad Tracks** from the *Hardwick Gazette* of July 10, 2002 (article attached, designated as Attachment 5), which is typical of many other reports that have appeared in newspapers across the territory served by the rail line. Similar articles with headlines **Lamoille Rail vs Trail Debate Continues** (*Hardwick Gazette* December 19, 2001) and **Rail Trail Work Expected Soon** (*Hardwick Gazette* July 9, 2003), have regularly appeared over a span of years, and have most generally mislead the public into thinking that approval to abandon the railroad is an accomplished fact. For this reason, due to the erroneous message that this long, slow, and often reported abandonment determination process has caused, it is even more important that a full and complete process before the Board be required, in order to allow for the proper public and shipper involvement. Unfortunately, while the bold headlines about tearing up the tracks regularly appear in the public eye, no detailed "decision" report for the MVCC recommendation has ever been made available to the public, so there is no way to know what public input was really received and what criteria was utilized for comparison of the vastly different rail and trail "use" proposals.

I urge the Board not to allow a largely secretive alternative abandonment process to be substituted for a full and complete process before the Board. Owing to the credibility that any state sponsored "process" is accorded by the public, even such a poorly defined and virtually undocumented one, the public in large part has been lead to believe that the railroad abandonment is an accomplished fact and already underway. For this reason also, I urge the Board to hold the present Owner to the same standards as a private sector

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owner in this regard, since it is doubtful the Board would allow a private sector owner of a rail line to substitute an arbitrary committee and an arbitrary alternative abandonment procedure to stand in place of a proper proceeding before the Board.

I have written this letter as an interested private citizen, who has closely watched this situation on the Lamoille Valley Railroad develop over the last nine years or so. I am aware that rail freight transportation provides a safe, low cost, energy efficient, and environmentally friendly mode of transportation, and I believe that as a society we should be doing everything possible to encourage its use in the overall transportation mix, and not to be doing the opposite as I have seen occur in this case, by intentionally doing things that are certain to destroy this rail line. I personally attended the early public input meetings concerning this railroad, arranged by VTRANS, and was alarmed to see trail interest groups (most notably the organized snowmobile group) immediately expressing their clear desire to rip the rail line up to use for their snowmobile trail, even though interest in shipping by rail still existed. To put this in perspective, with 6000 miles of snowmobile trail currently existing in Vermont, this rail line represents only 1.6% of the total snowmobile trail mileage, while representing 12.6% of the Vermont's total rail system mileage. Having been myself in favor of the early Rails-to-Trails movement, as a way to save rights-of-way that otherwise would have been lost, I am also aware of the original Rails-to-Trails philosophy from the 1970s, to *"never encourage in any way the thoughtless abandonment of additional miles of rail trackage"*. I have now learned that this philosophy, while still given "lip service", is no longer applied, and that now the trail groups are actively seeking the abandonment of this railroad, and also seeking to deny it any chance to succeed. They clearly know that once it is ripped up, the rails will never be back. I have come to believe the trail conversion laws must be amended so as to absolutely and totally disqualify any group that is found lobbying to destroy or otherwise impair the rail line they seek to use, since this is a basic, fundamental conflict of interest. The Rails-To-Trails Conservancy has already been up here, in Vermont, "selling" this trail conversion, even as shippers are currently being denied the rail service they desire. This is wrong. Along with this, the playing field has not been level either. Consultant trail cost estimates, originally much higher than the rail operation proposals, were redone to cheapen them (although they still are higher than any of the estimates for continued rail use), while the rail cost proposals were challenged as being too low (and apparently higher costs were compared). The rail "use" proposals were subject to detailed cost audits, while no similar scrutiny was applied to the proposed trail "use" proposal costs. It is doubtful the ROI for the trail estimates actually comes anywhere near the rail proposals, as there is apparently no identifiable user-based revenue stream for the trail, yet the trail has been called economically viable. I continue to believe this railroad deserves a fair chance, which it has not been given up to now. The fact is, interest in shipping by rail still exists, as documented in Attachment 2. It is very disturbing to see a real desire for rail service totally ignored and unfulfilled, with the intentional result that absolutely no rail traffic is now being handled, and then see this very lack of traffic used by the many "rail opponents" as the *primary* excuse they use to destroy the rail line forever. And it should also be noted, while all of this is going on, the LVRC is still listed as though it was a real operating rail line in the *Official Railway Equipment Register*, with 451 freight cars in

Timothy D. Phelps to STB
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interchange service, so that LVRC is apparently continuing to profit in this manner from its over 8 year non-operating association with this Vermont owned railroad line.

In conclusion, I again request that the Board disallow the LVRC and VTRANS petition for an Abandonment Exemption for out of service lines, as provided in 49CFR Part 1152 Subpart F, for the Subject Line as described above. Due to the fact that both the Owner of this railroad line (the State of Vermont, represented by VTRANS) and the Leaseholder for the line (LVRC) have acted in such a way as to absolutely deny any railroad service to shippers on this rail line for a period of approximately 8 years, from 1995 continuing until the present, even though the desire to receive rail freight service on the part of on-line shippers was made known to both parties during this time, the complete lack of rail traffic on this railroad has been, in large measure, caused by the Leaseholder/Operator and VTRANS themselves. Throughout this time, other possible operators had expressed an interest in providing rail freight service on the line, with initial traffic (as verified by independent consultants retained by VTRANS) estimated to be between 750 and 1000 cars per year. The lack of traffic on this railroad in no way represents a lack of either the need for or the desire for rail freight service, but rather reflects the failure of VTRANS and LVRC to supply the service clearly requested by the shipping public. As seen in attached references (SC&D Report, Attachment 2), both VTRANS and LVRC were made aware of this need, yet have failed to make any effort to serve the on-line shippers who desired service, and further, did dismantle and otherwise allow to become impassable additional sections of track and bridges, thereby increasing the difficulty (and making it virtually impossible in some instances) to resume or continue rail freight service. Because of this total failure to respond to a documented desire on the part of shippers for rail service, the inactivity of the line has in fact been caused by the actions of LVRC and VTRANS, and for this reason, the LVRC and VTRANS petition for an Abandonment Exemption for out of service lines should be disallowed.



Timothy D. Phelps, PE
East Hardwick, Vermont

Attachments:

- Attachment 1, *Notice of Intent to File for Abandonment Exemption, LVRC and VTRANS*
- Attachment 2, *Vermont Rail Link Proposal, Letter Report, SC&D, pages 7, 8 and 9*
- Attachment 3, Photo/Caption, *Hardwick Gazette*, removal of RR Bridge, Walden, VT
- Attachment 4, Article, *Burlington Free Press*, **Caledonia Senator Hopes To Turn Old Rail Bed Into Recreation Path**
- Attachment 5, Article, *Hardwick Gazette*, **VAST Prepares To Rip Up The Railroad Tracks**
- Certificate of Service - LVRC

Before the
Surface Transportation Board
Washington, D.C.

Docket No. AB-444 (Sub-No. 1X)

LAMOILLE VALLEY RAILROAD COMPANY - ABANDONMENT
EXEMPTION - IN CALEDONIA, WASHINGTON, ORLEANS,
LAMOILLE, AND FRANKLIN COUNTIES, VERMONT

NOTICE OF INTENT TO FILE

The Lamoille Valley Railroad Company ("LVRC"), in cooperation with the State of Vermont's Agency of Transportation ("VTrans"), gives notice that it expects shortly to file with the Surface Transportation Board ("Board"), Washington, DC 20423, a notice of exemption under 49 CFR 1152 Subpart F - Exempt Abandonments permitting the abandonment of: (1) a 95.26-mile line of railroad between approximately railroad milepost 0.057 (SJLC valuation station 3+00), near St. Johnsbury, VT; and approximately railroad milepost 95.324 (SJLC valuation station 5033+10), near Swanton, VT, which traverses through United States Postal service ZIP Codes 05819, 05828, 05647, 05873, 05843, 05842, 05843, 05860, 05661, 05655, 05656, 05464, 05444, 05441, 05455, 05483, 05459, and 05488, in Caledonia, Washington, Orleans, Lamoille and Franklin Counties, VT, and (2) the Hardwick & Woodbury ("H&W") Connecting Track, a 1.52-mile line of railroad between approximately H&W valuation station 0+00 (Granite Junction) and approximately H&W valuation station 80+48 (Buffalo Road) in Hardwick, VT, which traverses through United States Postal Service ZIP Code 05843, in Caledonia County, VT (collectively, the "Subject Line"). The total distance of the Subject Line is approximately 96.78 miles. The proceeding will be docketed as No. AB-444 (Sub-No. 1 X).

LVRC also will seek Board approval for discontinuance of its trackage rights over the former Central Vermont Railway, Inc. ("CVR") line between approximately CVR milepost 9.9 at the north abutment of the Missisquoi River Bridge at Sheldon Junction, VT, and approximately CVR milepost 27.4 at Richford, VT (the "Richford Subdivision"), which traverses through United States Postal Service ZIP Codes 05483, 05450, 05447, and 05476 in Franklin County, VT. On February 6, 1992, CVR filed a notice of exemption to abandon the Richford Subdivision. The notice became effective on March 28, 1992. LVRC did not seek discontinuance authority at that time. VTrans currently owns and manages a rail trail on the Richford Subdivision. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50.

The Board's Section of Environmental Analysis (SEA) will generally prepare an Environmental Assessment (EA), which will normally be available 25 days after the filing of the notice of exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to the Section of Environmental Analysis (SEA), Surface Transportation Board, Room 500, 1925 K Street, N.W., Washington, DC 20423-0001 or by calling that office at 202-927-6211.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assistance) must be filed directly with the Board's Office of the Secretary, 1925 K Street, N.W., Washington, DC 20423 [See 49 CFR 1104.1(a) and 1104.3(a)], and one copy must be served on applicant's representative [See 49 CFR 1104.12(a)]. Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Congressional and Public Services at 202-927-7597. Copies of any comments or requests for conditions should be served on the applicant's representative: James B. Fitzgerald, Lamoille Valley Railroad Company, c/o VTrans Rail Section, National Life Building, Drawer 33, Montpelier, VT 05633-5001 (802-828-3628).

operating and working capital as a risk venture. The state must, however, recognize the at-risk investments by proposers and investors to justify profits to be distributed even if grants have been made to preserve state property.

The pro-formas essentially expensed the “profit” by the proposer as an item in administrative costs; i.e. their salary. It is debatable whether this is accepted accounting procedure, but it would also appear that there is actually more ‘cushion’ in the pro-forma than would have initially appeared due to the fact that the proposer’s fee/salary is actually in administrative costs, or that the proposer has, at minimum, created both jobs for itself. Therefore, the “breakeven” pro-forma at year three actually includes a payment to the owners for services provided, if not a profit to be shared with potential stockholders. This is likely to be more of an issue with the SBA than the state at this point.

Repairs and upgrades to facilities that are not the property of the operator (such as repairs to the Morrisville engine house) become a point of negotiated debate directly in relationship to the length of the lease. It is unrealistic to expect the operator to invest significantly in a property where the normal term of an improvement loan is shorter than the lease, or where they cannot depreciate their improvements during the life of the lease. Basically, no bank will ever loan money for a 15-year improvement to a property that only has a 5-year lease. If the state insists on a shorter-term lease (or no extension terms), then they must be willing to either fund the improvements themselves or make a provision for depreciated value buyback to the satisfaction of the bank.

Of the shortline freight and passenger operations that have folded, nearly all failed either because of a catastrophic event or freight business closure on the line (that could not be foreseen), or failed to survive their first five years of operation due to woefully inadequate capitalization. Because of that, the lease should include a minimum acceptable level of working capital to be attained before final operations can begin, and by a certain date. The highly seasonal nature of tourist railroads makes them a fundamentally difficult business, and one where the entire year is basically determined in fall foliage – not completely unlike other tourism-based businesses in Vermont. Freight business, while much more stable based on a variety of commodities and customers, can be difficult to maintain when the environment is as difficult as Northern Vermont in winter.

Freight Operations

Freight services to Morrisville, and later as far east as Hardwick, allow Vermont industries to be reconnected to the outside world by rail. Even today, the Bordeau Bros. Mill in Sheldon is dependent on an NECR rail-to-truck transload (out of St. Albans) to deliver their inbound grain. Reconnecting direct rail will allow Vermont industries to directly connect to the national rail freight system and reach markets that are now too expensive to reach by truck, or decrease their cost to existing customers and suppliers that are now reached by truck. This can make a real difference to the overall profitability and competitiveness of certain industries and impact employment. The challenge is to analyze and verify these potential rail customers and determine if there really is a legitimate reason to assume that rail freight has a future here.

We discovered a substantial interest in freight service by verifying the interest letters in the proposal. Every shipper contacted verified the letters, their interest and, if anything, had seen increased interest in rail transportation since the time of the initial submission. This was a pleasant surprise that was not anticipated.

Across the board, we discovered that the on-line shippers had NOT been contacted by LVRC. If there actually was a shortline freight marketing program by them, it was not effective. They had no recollection of being actively solicited or approached during the previous operator's tenure. This adequately explained the total lack of previous freight business on the line, which is a major and key issue when reviewing this proposal. A 1993 agreement between LVRC and the State of Vermont directed LVRC for continued investment in the Washington County shortline (also operated by Forbes) with at least the perception to create a disincentive for any further attempts to resuscitate LVRC and allowed removal of some equipment, scrap rail and shop contents at Morrisville in exchange for continued investment in Washington County.

If anything, we feel that the freight business may be substantially understated during the initial years of operation and will grow to a 750-1,000 car/year plateau quicker than anticipated. This will change the dynamics of the railroad along with the demand to upgrade the track quicker to provide better service and to be year-round over the entire length of the opened line.

Track conditions on the line can be focused on to immediately repair the washouts and allow passenger equipment to be moved to Morrisville. Beyond that point, the railroad can function for much of the freight business as an "FRA excepted track" railroad west of Johnson in year one. Excepted track cannot be used for passengers or for hazardous materials, so this would impact any potential propane business. But the concrete, fertilizer, wood products and brick would not be affected and can be operated at reduced speed on excepted track.

Sidings are a significant issue. Some of the major customers will need sidings and cannot adequately load on the main line. While rail materials can be salvaged from the east end, it is more than likely that the state should prepare for requests for capital assistance by the shippers to construct new sidings, and this is apparently not included in the \$4.5 million capital budget estimate.

Freight business at Sheldon and Highgate Center, along with the interchange to the west, will fairly well occupy a crew to serve this end of the railroad during a day. Assuming that freight services can be covered with the same unit and crew as running the passenger trains during the fall foliage crush is suspect. At that time of year, at least, both locomotives and two crews on two locomotives will absolutely be necessary because of low running speeds. It may be most viable to serve these west-end customers via an NECR operating agreement during winter months. If the railroad incorporates as a common carrier, however, then the full season obligation is assumed. No shipper contacted offered that they understood that the line would, or might, be closed in the winter – including Poulin Lumber at Hardwick.

The seasonal nature of the railroad is assumed in the initial years, and this runs in direct conflict to the assumptions on freight service and its need to be available all-year. The Phase II proposal explicitly states seasonal freight operation over that portion. The conflict is between assuming

Vermont Joint Fiscal Office
Vermont Rail Link Proposal – Letter Report
Attachment #3 October 2001

the railroad is a seasonal passenger operation with some seasonal freight vs. a freight operation that keeps trucks off of the road. Since the publication of the draft report, it has been clarified that the primary shipper east of Morrisville, the pulpwood reload facility, may consider a truck-to-rail transfer closer to Morrisville and not require freight service east of that point through the winter. This is the apparent underlying reason for the Phase II intent of a seasonal snowmobile trail east of Morrisville. The Phase I section, Swanton to Morrisville, is intended to remain open for freight service on an as-needed basis during winter months.

Another key, unknown assumption at this point is what level of economic pricing can be negotiated for the NECR rate division. Until actual pricing and ratemaking takes place, it will essentially be unknown what level of rate division will be demanded, and if the total rate division package becomes competitive with truck. The facts are that nearly every customer wants rail, as long as rail remains competitive or at the "magic" 20% cost savings. Rate divisions, as shown in the pro-formas, do not seem to be unrealistic, but will vary significantly depending upon commodity hauled. There is substantially more revenue to be made from commodities such as brick, plastic pellets and chemicals than from low-value commodities such as pulpwood and grain, and an average per-car settlement does not take this into effect. It is also unclear at this point whether the new operator will operate as a switching terminal (setting a standard price per car) or attempt to participate in individual rate settlements. This customer and commodity mix in general looks to be on the low end with the possible exception of manufactured stoves and propane gas.

Subsequent discussion with Mr.'s Snyder and Worthen have indicated that the intent of the pro-forma rate divisions in the proposal was for NECR to actually be the freight carrier of record to the final customer and VRL to provide only a 'haulage' service for a per-car fee and not necessarily involve themselves or NECR in the typical rate-division conflicts inherent between two shortline railroads competing against each other for rate divisions. Stone Consulting has neither verified nor questioned this with NECR due to the sensitive nature of such business negotiations. Generally, we support this 'haulage' approach, though we would still recommend to have multiple haulage rates sensitive to disparities in commodity-level pricing.

Though many freight shortline railroads have attempted intermodal (truck trailer or container) operations, margins on these activities have been so small as to virtually wipe them off the shortline railroader's opportunity list. Equipment necessary to load, unload and handle intermodal equipment makes them a capital-intensive exercise and the per-trailer charges necessary to handle the cars over a shortline (vs. driving the same trailer to a regional reload terminal) makes it a poor competitive proposition. We do not support the suggestion or conclusion that "intermodal" container/piggyback activities will make a significant portion of future freight revenues on this line. Intermodal, as it applies to bulk material reload between truck and railcar, is an entirely different scenario, and these activities have been quite successful by shortlines as a breed.

Wednesday
October 2, 1996
Volume 107, Number 39

PAUWICK

Hardwick • Greensboro • Craftsbury • Wolcott • Walden • Stannard

Attachment 3, Letter T.D.Phelps to STB 11/04/03 Re: Docket No. AB-444 (Sub-No. IX) Page 1 of 1



Horses and trains built the Walden overpass 82 years ago, but it took a crane to remove the railroad bridge last week. Construction to widen the overpass and improve visibility continues this week with removal of the concrete abutments and making a wider road. Transportation officials expect the work to be completed by the end of the month.
(photo by Kristine Mercier)

Caledonia senator hopes to turn old rail bed into recreation path

By Anne Wallace Allen
The Associated Press

DANVILLE — When state Sen. Robert Ide thinks about the future of the Lamoille Valley Railroad, he remembers a bicycle path he recently rode in Florida.

The 25-mile former rail bed spawned several businesses along the route, Ide said. They catered to path users with food, services, and equipment rentals.

He thinks the same thing could happen on Vermont's 92-mile right-of-way between St. Johnsbury and Swanton.

"It will be a rival to the Long Trail," said Ide, a Republican from Caledonia County. "I think in time it will be a multi-season recreational trail. I don't know if it will be in a year or in 10 years."

Ide and others who want to see the tracks ripped up have a tough job ahead. Many other politicians, business leaders and residents want to see rail service restored to the Lamoille Valley.

More than 100 people braved snowy roads Thursday to attend a state-run public hearing in Danville on the railroad.

The state billed the hearing as a chance for people to share plans for preserving the tracks on the corridor. Most of the speakers merely reiterated arguments for why the tracks should remain — even if an economic reason for doing so doesn't immediately materialize.

"Forever is a long time, and if the rails come up it is forever," said Carl Fowler, a rail travel agent from St. Albans. "We should bear in mind that the economic future of Vermont is much more than a few years."

Barbara Emch, a Sheldon resident whose yard is bisected by the Lamoille Valley's tracks, said she did not want snow machines, all-terrain vehicles, joggers or bicyclists using the path past her house.

"I'd rather see 10 trains go by every day than put up with snow machines and everything else," Emch said.

Brian Watson, executive director of the Vermont Association of Snow Travelers, said a recreation trail would bring millions of dollars to the communities along the tracks.

The railroad's future is largely in the hands of Clyde Forbes, a Florida operator who has held the lease on the state-owned route for several years. He said Thursday he has no plans to relinquish it.

"We're in this for the long haul," Forbes said.

Forbes, who this fall applied to abandon the western half of the route and then withdrew the application, said someday the eastern half would be used for freight, and the western half would become a trail.

Wednesday
July 10, 2002
Volume 113, Number 27

THE

Hardwic

Hardwick • Greensboro • Craftsbury • Wolcott • Walden

VAST Prepares To Rip Up The Railroad Tracks

by Kelly E. Papke

HARDWICK — The Lamoille Valley Railroad Corridor has seen brighter days with trains running through Hardwick loaded with granite and passengers riding to and from school.

By next spring, the tracks from St. Johnsbury to Morrisville will probably be torn up to make way for a multi-use recreational trail. The trail will be operated by the Vermont Association of Snow Travelers and hikers, bikers, walkers and snowmobilers will have access to the corridor.

"This opens up a new opportunity for VAST to work with other trail users since the trail will be used also by bikers and hikers for three seasons throughout the year," said Hal Coughlin, VAST vice president.

The rest of the 96-mile corridor from Morrisville to Swanton will also be stabilized under a lease from VAST, but the ties and rails will stay in place. VAST did not receive permission from the Legislature to remove the rails and ties at the western end.

"We did not get everything that we wanted this year, but we will be able to go forward with the beginning of the conversion to a recreational trail that should add considerably to snowmobiling opportunities and preserve a key corridor for future use," Bryant Watson, VAST executive director, wrote in a newsletter. "It is hoped that as time goes on and VAST has proved itself as a viable multiple use trail manager, we will be able to remove the rails and ties between Morrisville and Swanton as well."

Before major extrication work may begin, the Vermont Agency of Transportation has to take the cor-

ridor through a discontinuance and railbanking process. Rail banking means the entire railbed right-of-way is preserved for future rail use, but may be used for other purposes in the interim. Charlie Miller, of AOT rail division, said the process could take three-six months to complete, leaving VAST and AOT unable to touch the rail infrastructure this summer.

The Legislature did not appropriate funds for the corridor this year. Miller said there is a line item in his budget that will cover the railbanking application to the Surface Transportation Board in Washington, D.C.

Miller said AOT will put together a project to remove all rail material throughout the eastern end by asking a contractor to come in without any compensation to remove the rail and use the salvaged material as payment. After the rail material is removed, VAST will step in and begin restoration.

"This year, we had to work hard to gain language that would allow VAST to start the conversion of the rail bed into a multiple use recreational trail," Watson wrote. "We succeeded!"

Watson considered it a "great win" for VAST and is the result of the group's decision to create a closer working relationship with the Legislature and governmental agencies.

VAST will receive a long-term lease on the eastern end and run on a year-to-year basis on the western end, Miller said.

Brad Worthen, of Vermont Rail Link Inc., fought to return rail-use to the line. He said he is satisfied the Legislature did not decide to rip up the tracks from the Morrisville to Swanton section because Rail Link

has argued all along that section has the most potential for rail-use.

Worthen said the concept behind the Legislature's decision is there is so much work to be done on the eastern end, let the trail advocates start there and stabilize wash-outs and the structure on the west end. Worthen said for now he will sit back and see what happens until next January when the Legislature reconvenes.

"The bottom line is the rail is staying in place in the most important sections," said Worthen.

Worthen still hopes rail use is reintroduced on the western end in the future.

The next step forward is the culmination of a long battle over use and operator between the long-time leaseholder Clyde Forbes and the AOT when the railroad ceased operation in the mid-1990s.

Last year, VRL and VAST submitted separate proposals for the use of LVRC. VAST proposed to turn the corridor into a multi-use recreation trail while VRL proposed to reintroduce rail in three phases along the line. Prior to that, a study was conducted by M.I.T. researchers, which recommended giving the rail corridor about five years for rail use before moving in a different direction. Bids were taken for rail use, a short list was made but no one was offered a lease for the corridor's use.

A Mountain Valley Consortium, made up of business representatives along the corridor, was then formed about two years ago. That body recommended AOT turn the corridor into a multi-use trail. In 2001, the Legislature was skeptical the consortium did not look closely at the economic feasibility of the VRL proposal and put the project on hold.

Timothy D. Phelps
P. O. Box 67
East Hardwick, Vermont 05836
November 4, 2003

The Surface Transportation Board
Office of the Secretary,
1925 K Street, N.W., Washington, DC 20423

Re: LVRC and VTRANS
Notice of Intent to File for Abandonment Exemption
STB Docket No. AB-444 (Sub-No. 1X)

Certificate of Service - LVRC

This will certify that one copy of this letter (protest) and all attachments have been served on the LVRC through the applicant's representative, sent to the address included in the published NOTICE OF INTENT TO FILE for an Abandonment Exemption, STB Docket No. AB-444, Sub-No. 1X (Attachment 1 to the original letter), which address is as follows:

James B Fitzgerald,
Lamoille Valley Railroad Company
c/o Vtrans Rail Section,
National Life Building,
Drawer 33, Montpelier VT 05633-5001

Signed:



Timothy D. Phelps

Date:

11/04/03

-----Original Message-----

From: Bradford J. Worthen [mailto:bradfordj@gmavt.net]
Sent: Thursday, November 06, 2003 12:09 PM
To: david.dill@state.vt.us
Cc: Patricia. McDonald@State. Vt. Us
Subject: LVRR meeting

Hi David,

Thanks for your willingness to review the merits of the Lamoille Valley Rail corridor and its potential as a long term necessity in meeting Vermont's transportation infrastructure demands.

I have attached a PDF file of the Phelps STB filing that I handed you last night. This file contains the referred to attachments.

In addition to meeting with you and Secretary McDonald on this issue, I would strongly urge you to invite Secretary Dom to the meeting as well. There are at least three industrial business parks (Swanton, Highgate, and Hardwick) that are adjacent to the tracks. These parks could benefit from an active railroad by providing transportation options for potential industries. These sites are within the top second or third ranking of the Persons Without Access to Automobiles statistics that you presented last night. The railroad and these parks provide an opportunity to create new manufacturing jobs in rural Vermont settings that would help reduce the need for long commutes required to reach employers in distant communities.

Attached in a recent letter sent to Governor Douglas from the Town of Highgate requesting active rail service.

You will note a CC on that letter to the Vermont Brick Company, a company that located next to the LVRR ten years ago with the promise that rail service would be available to them. They are forced to rely on trucking, when they prefer rail.

If you have had a chance to review the Vermont Rail Link Business Plan/RFP response, you will see that Vermont Brick and the Town of Highgate have always wanted an operating railroad.

There are many more potential rail shippers along the corridor with the same desire for rail service, all of which are documented in our business plan and subsequently and independently verified by the Stone Consulting Report of October 2001. I have attached an overview of the highlights of that report for your inspection.

Please let me know if you or the Secretary needs any additional information in advance of our meeting.

Thanks again for your efforts. A vital piece of Vermont's transportation future is at stake.

Sincerely

Brad Worthen



TOWN OF HIGHGATE
P.O. BOX 67
HIGHGATE CENTER, VT 05459
802-868-4922 (phone & fax)

Larry R. Kempton
Town Administrator
lkempton@highgate.k12.vt.us

November 3, 2003

Governor Jim Douglas
109 State Street, Pavilion
Montpelier, VT 05609-0101

Dear Governor Douglas:

At its 2002 Town Meeting, the Town of Highgate was authorized by its voters to establish Vermont's first municipal natural gas utility. With this vote of support from our citizens, we have been working to establish the business connections and recruit the anchor customer or customers we feel we would need to make our project a reality.

Highgate is uniquely placed on the Quebec border, a short ½ mile from the end of the TransCanada pipeline that transports gas from western Canada. Over the past two years, we have made contacts in Canada that have assured us that both the supply of natural gas and the transport facilities exist to serve the additional load of a new natural gas enterprise in Vermont.

Highgate is the hub of several electrical transmission facilities in northwest Vermont, which would make our town the ideal location for a gas-fired electrical generating plant. Likewise, our location on the border and adjacent to an interstate highway and Lake Champlain should interest industries that need an inexpensive source of natural gas to operate.

The Town of Highgate is taking the lead to recruit development proposals for the following project scope:

- Construction of a natural gas pipeline approximately 6 miles from the connection with the TransCanada Pipeline at the international border of Highgate and Quebec to the proposed project site in Highgate Center.
- Construction of a gas-fired electrical generating facility on Town property adjacent to the VELCO converter station and transmission network.

TransCanada Pipeline has agreed to cooperate in this project to the extent that this development represents new gas load. Five Vermont utilities have expressed interest in the ownership or purchase of up to 120 megawatts of electrical generation. VELCO, Vermont's only electrical transmission utility, is aware of this project and has supported its value to improving the reliability of electricity delivery to northwest Vermont. The Town of Highgate owns 15 acres of developable land adjacent to the VELCO facilities.

The developers we are working with are interested in the fact that the Town's property is directly adjacent to the Lamoille Valley Railroad corridor. Rail service to this site would be a great asset during construction and operation of the proposed electrical generation facility. Though there has been conversation about removing the rails from this valuable corridor, the Town of Highgate and several northern Vermont businesses have consistently and repeatedly voiced their support for renewed rail service along this portion of the Lamoille Valley Railroad.

The Town of Highgate would appreciate the opportunity to further discuss our plans with you or your staff at your convenience. We feel strongly that this project will provide a great contribution to Vermont's economic development efforts.

For the Selectboard,

Larry R. Kempton
Town Administrator

Cc: US Energy
David O'Brien
Charlie Miller
Jack Dail
Pete Snyder
David Devine
Eric Stallings
Richard Buff
Vermont Brick Company

EXHIBIT NO. 4

(Historic Report)

(49 C.F.R. § 1105.8)

BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, D.C.

Docket No. AB-444 (Sub-No. 1X)

LAMOILLE VALLEY RAILROAD COMPANY
— ABANDONMENT EXEMPTION —
IN CALEDONIA, WASHINGTON, ORLEANS, LAMOILLE
AND FRANKLIN COUNTIES, VERMONT

HISTORIC REPORT

Pursuant to 49 C.F.R. §§ 1105.7(e) and 1105.8, the Lamoille Valley Railroad Company ("LVRC") hereby submits the following Historic Report in connection with its Verified Notice of Exemption pursuant to 49 C.F.R. § 1152.50 for the abandonment of approximately 96.78 route miles of rail line in Caledonia, Washington, Orleans, Lamoille and Franklin Counties, Vermont.

Section 1105.8(c) Distribution

(c) Distribution. The applicant must send the Historic Report to the appropriate State Historic Preservation Officer(s), preferably at least 60 days in advance of filing the application, petition, or notice, but not later than 20 days prior to filing with the Board.

See Certificate of Service effecting service on November ___, 2003, attached as Exhibit 1 to Environmental Report.

Section 1105.8(d)

(d) Content. The Historic Report should contain the information required by § 1105.7(e)(1) and the following additional historic information:

Section 1105.8(d)(1)

(1) A U.S.G.S. topographic map (or an alternate map drawn to scale and sufficiently detailed to show buildings and other structures in the vicinity of the proposed action) showing

the location of the proposed action, and the locations and approximate dimensions of railroad structures that are 50 years old or older and are part of the proposed action;

See Appendix A.

Section 1105.8(d)(2)

(2) A written description of the right-of-way (including approximate widths, to the extent known), and the topography and urban and/or rural characteristics of the surrounding area;

The subject line extends in a generally east-west direction across northern Vermont. The line is primarily single-tracked, with a right-of-way typically at least 66 feet wide. In areas of cuts and fills, the right-of-way is wider. The line's easterly terminus is an industrial area on the south side of the village of St. Johnsbury (elevation 600 feet), which is located in the Passumpsic River valley. From St. Johnsbury, the line climbs westward through hilly, rural country. The line gains elevation for about 28 miles, until Greensboro Bend (elevation 1,700 feet), where it crosses the Green Mountains, passing from the watershed of the Connecticut River to that of Lake Champlain and the St. Lawrence River. Just west of Greensboro Bend, the line begins to descend along the westward-flowing Lamoille River, which it follows westerly for the next 36 miles, to Cambridge Junction (elevation 462 feet). Just west of Cambridge Junction, the line turns in a northwesterly direction, proceeding across rolling countryside a distance of about 20 miles to Sheldon Junction (elevation 347 feet). At Sheldon Junction, the line begins to follow the westward-flowing Missisquoi River, along which the line continues another 12 miles to its westerly terminus at Swanton (elevation 157 feet), near Lake Champlain.

Section 1105.8(d)(3) Photographs

(3) Good quality photographs (actual photographic prints, not photocopies) of railroad structures on the property that are 50 years old or older and of the immediately surrounding area;

See Appendix B.

Section 1105(d)(4) Dates of Construction of Structures

(4) The date(s) of construction of the structure(s), and the date(s) and extent of any major alterations, to the extent such information is known;

See Appendix C.

(Appendix C includes only bridges and major culverts along the LVRC main line. Although several former passenger stations and freight depots remain along the LVRC main line, they are not part of LVRC's leasehold. There are no railroad-owned structures along the Hardwick & Woodbury Connecting Track.)

Section 1105.8(d)(5) History

(5) A brief narrative history of carrier operations in the area, and an explanation of what, if any, changes are contemplated as a result of the proposed action;

According to the historical summary provided by the former Interstate Commerce Commission in *Boston & Maine R.R. — Valuation*, 30 Val. Rep. 515, 987-1010 (1930), the subject line was constructed in the 1870s. The 17 miles between St. Johnsbury and Joe's Pond, Vermont were constructed by the Montpelier & St. Johnsbury Railroad Company and opened for operation on January 1, 1872. The remainder of the St. Johnsbury-Swanton line was constructed by the Lamoille Valley Railroad Company, opening for operation in three segments: (1) the 18 miles between Joe's Pond and Hardwick on January 1, 1873, (2) the 22 miles between Hardwick and Johnson in 1876, and (3) the 42 miles from Johnson to Maquam (Swanton) on August 1, 1877. These two lines, along with the Essex County Railroad Company (which operated a connecting line from Lunenburg to St. Johnsbury, Vermont), operated under joint management with the Portland & Ogdensburg Railway of Maine, and constituted what was known as the Vermont Division of the Portland & Ogdensburg. They were intended to constitute a through route between Portland, Maine, on the Atlantic, and Ogdensburg, New York, a port on the St. Lawrence River with connections to the Great Lakes.

In 1880, the three connecting Vermont lines were reorganized as the St. Johnsbury & Lake Champlain Railroad Company ("St. J. & L.C."). For much of its history, the St. J. & L.C. was controlled by the Boston & Maine Railroad ("B&M"). In 1912, the St. J. & L.C. leased the Lunenburg-St. Johnsbury line to the Maine Central Railroad Company. See *Lease of Line by Canadian Pacific Ry. Co. and Sublease by Maine Central R.R. Co.*, 131 I.C.C. 407 (1927); *Lease of Line by Canadian Pacific Ry. Co.*, 221 I.C.C. 659 (1937). The Lunenburg-St. Johnsbury line eventually was sold to the Maine Central.

During the 1930s, the St. J. & L.C. lost some of its connections to abandonment. See *Hardwick & Woodbury R.R. Co. — Abandonment*, 202 I.C.C. 345 (1934) (abandonment of nine-mile branch line, extending from a connection with the St. J. & L.C. at Buffalo Road in Hardwick, Vermont to granite quarries in Woodbury, Vermont) and *Central Vermont Ry., Inc. — Abandonment*, 228 I.C.C. 133 (1938) (abandonment of the Central Vermont's 26-mile-long Burlington & Lamoille branch, extending easterly from the Central Vermont main line at Essex Junction, Vermont, to the St. J. & L.C. main line at Cambridge Junction, Vermont).

In 1945, the St. J. & L.C. filed for reorganization with the United States District Court for the District of Vermont under Section 77 of the Bankruptcy Act. *St. Johnsbury & Lake Champlain R.R. Co. — Reorganization*, 261 I.C.C. 563 (1945). For the time being, the St. J. & L.C. remained under B&M control. See *St. Johnsbury & Lake Champlain R.R. Co. — Control*, 267 I.C.C. 822 (1946).

In 1948, the St. Johnsbury-Swanton line was sold to the newly organized St. Johnsbury & Lamoille County Railroad, which was owned by some of the line's largest shippers. *St.*

Johnsbury & Lamoille County R.R. — Purchase and Operation, 271 I.C.C. 820 (1948). In 1958, control of the St. J. & L.C. passed to the Salzberg short line group. See *Salzberg v. United States*, 176 F.Supp. 1 (S.D. N.Y. 1959); *St. Johnsbury & Lamoille County R.R. — Control*, 307 I.C.C. 489 (1959) (on remand). In 1967, the St. J. & L.C. was acquired by the Pinsly short line group, which moved the line's operating headquarters from St. Johnsbury to a new facility in Morrisville and replaced several of the line's low-capacity wooden covered bridges with modern, steel bridges. During the Pinsly era, the St. J. & L.C. also acquired from the Central Vermont a 2.6-mile-long segment of industrial trackage between Fonda Junction and East Swanton, Vermont (the remainder of the Central Vermont's former St. Armand Subdivision), which the St. J. & L.C. used for an alternative interchange with the Central Vermont, thus bypassing the St. J. & L.C.'s structurally obsolete wooden covered bridge over the Missisquoi River in Swanton.

The Pinsly group's effort to reverse the St. J. & L.C.'s declining fortunes were not successful. In 1972, the St. J. & L.C. petitioned the former Interstate Commerce Commission (ICC) to for authority to abandon the entire line. *St. Johnsbury & Lamoille County R.R. — Entire Line Abandonment, Etc.*, Docket No. AB-65 (ICC, served June 25, 1973). The ICC approved the petition but later modified its initial abandonment order to provide that the railroad should be sold for continued operation to the newly created Vermont Transportation Authority ("VTA"), which had been created by the Vermont legislature to acquire and rehabilitate the line. See 1973 Vt. Acts No. 14 ("An Act to Add 29 V.S.A. Chapter 16 Relating to a Vermont Transportation Authority").

On December 7, 1973, the St. J. & L.C. conveyed its operating properties to the State of Vermont's VTA. Between 1973 and 1978, the line was operated by a succession of lessee/operators. See *Brotherhood of Maintenance of Way Employees v. St. Johnsbury & Lamoille County R.R.*, 512 F.Supp. 1079, 1081-82 (D. Vt. 1981) (history of operations between 1973 and 1978). During this period, the line was extensively renovated with federal and state assistance.

Applicant LVRC assumed operation of the line on January 1, 1978. In the early 1980s, despite the recent improvements to its physical plant, the LVRC suffered further erosion to its traffic base from the closing of talc and asbestos mines located along the line, as well as the long-term decline of agriculture in the area served by the line. The LVRC's participation in once significant overhead or "bridge" traffic moving between paper mills in the State of Maine and the Midwest ended when Guilford Transportation Industries, Inc., the new owner of the Maine Central Railroad Company ("MEC") closed MEC's Mountain Division, which ran between Portland, Maine and St. Johnsbury, Vermont. See *Lamoille Valley R.R. Co. v. ICC*, 711 F.2d 295 (D.C. Cir. 1983). In late 1983, in settlement of LVRC's and the State of Vermont's opposition to Guilford's acquisition of control of the Boston and Maine Corporation, LVRC, the State of Vermont, and MEC entered into an agreement for LVRC's parent corporation, Northern Vermont Corporation ("NVC"), to take over operation of that portion of MEC's Mountain Division between Whitefield, NH and St. Johnsbury, VT by means of a new NVC subsidiary, the Twin State Railroad Corporation ("TSR"). The hope was that the

remaining paper-mill traffic on this segment of the Mountain Division might revive LVRC's flagging fortunes.

In the late 1980s, LVRC also sought to revive traffic by establishing a connection with the Canadian Pacific Railway at Richford, Vermont. *Lamoille Valley R.R. Co. — Exemption — Trackage Rights — Central Vermont Ry., Inc.*, Finance Docket No. 31,240 (ICC, served Mar. 4, 1988). However, this too was unsuccessful. Revenue freight service over the line effectively ended on April 21, 1989, when the LVRC imposed a \$600 per car surcharge.

In early 1990, control of the LVRC was acquired by Clyde S. and Sandra Forbes ("Forbes") and CSF Acquisition, Inc. ("CSF"). *Clyde S. and Sandra Forbes and CSF Acquisition, Inc. — Control Exemption — Lamoille Valley R.R. Co. and Twin State R.R. Corp.*, Finance Docket No. 31,545 (ICC, Jan. 22, 1990). The hope was that Forbes and CSF, who recently acquired control of a connecting short line in northern New Hampshire, might be able to achieve certain efficiencies of scale through control of the neighboring LVRC and TSR. During this period, the eastern half of the LVRC, between St. Johnsbury and Morrisville, was used for occasional movements of locomotives and rolling stock to and from the LVRC shop and engine house at Morrisville.

The line suffered numerous washouts and mudslides during floods in August 1995, which stopped all remaining operations, including passenger excursions and equipment moves between St. Johnsbury and Morrisville. Since operations ended in 1995, additional washouts may have occurred. In 1996, Bridge No. 27A, which carried the railroad over Vermont Route 15 in Walden, was removed by the State of Vermont's Agency of Transportation ("VTrans") after its abutments became hazardous to highway traffic. Bridge No. 13, which carried the railroad over Mount Vernon Street in St. Johnsbury, also has been removed by VTrans, because of the instability of its easterly abutment.

The future of the LVRC corridor has been a recurrent subject of concern at recent sessions of the Vermont legislature. In 2001, the legislature directed a moratorium on most expenditures of public funds along the corridor pending a review by the legislature's joint fiscal office of a proposal to revive rail service. See 2001 Vt. Acts No. 64, § 29 (eff. June 16, 2001). In 2002 and 2003, the legislature directed VTrans to cooperate with LVRC to obtain federal regulatory approval for discontinuance of service and railbanking of the entire St. Johnsbury-Swanton line. See 2002 Vt. Acts No. 141, § 16 (eff. June 21, 2002) and 2003 Vt. Acts. No. 56, § 17 (eff. June 4, 2003).

Section 1105.8(d)(6) Documents

(6) A brief summary of documents in the carrier's possession, such as engineering drawings, that might be useful in documenting a structure that is found to be historic;

The carrier's files consist primarily of valuation plans, with some recent maintenance records. LVRC began to lease and operate the line only in 1978, after a quick succession of lessee-operators had operated the line following its 1973 purchase by the State of

Vermont. Accordingly, the historic documentation in the possession of the present carrier is extremely limited.

Section 1105.8(d)(7) Railroad's Opinion as to Presence of Historic Resources

(7) An opinion (based on readily available information in the railroad's possession) as to whether the site and/or structures meet the criteria for listing on the National Register of Historic Places (36 CFR 60.4), and whether there is a likelihood of archeological resources or any other previously unknown historic properties in the project area, and the basis for these opinions (including any consultations with the State Historic Preservation Office, local historical societies or universities);

The railroad does not have an opinion (based on readily available information in the railroad's possession) as to whether this line and/or structures would meet the criteria for listing in the National Register of Historic Places.

Bridge No. 45 (also known as the "Fisher Bridge") is a wooden covered bridge over the Lamoille River in Wolcott (at valuation station 2037+62 [mile post 38.6]). It was the subject of a January 18, 1968 preservation agreement between the State of Vermont's former Board of Historic Sites and the St. Johnsbury & Lamoille County Railroad, at which time a modern steel bridge was installed to carry the actual railroad track, allowing the historic superstructure of the covered bridge to remain in place, although no longer providing structural support to the track. Because the entire line has been owned by the State of Vermont since 1973, it is the railroad's understanding that the proposed abandonment — which will result in termination of the railroad's leasehold — will not have any effect on the State of Vermont's continuing efforts to maintain the Fisher Covered Railroad Bridge as a state historic site.

Bridge No. 98, another wooden covered bridge which formerly carried the line over the Missisquoi River in Swanton (at valuation station 5026+56 [milepost 95.2]), was bypassed in the late 1960s, when the St. Johnsbury & Lamoille County Railroad began to use the "Fonda Branch" industrial trackage for interchange with the Central Vermont Railway. Following State purchase of the line in 1973, responsibility for Bridge No. 98 was transferred to the State's Division for Historic Bridge, which maintained the bridge as an historic site. Unfortunately, Bridge No. 98 was destroyed by fire in the 1980s. Its stone abutments and piers remain in place.

Section 1105.8(d)(8) Archeological Resources

(8) A description (based on readily available information in the railroad's possession) of any known prior subsurface ground disturbance or fill, environmental conditions (naturally occurring or manmade) that might affect the archeological recovery of resources (such as swampy conditions or the presence of toxic wastes), and the surrounding terrain.

Except as noted below, there are no known ground disturbances or fills other than those which would have occurred during original construction of the line or during its

subsequent maintenance or rehabilitation. The line suffered several washouts during floods in August 1995, which stopped all remaining operations, including passenger excursions and equipment moves to and from the Morrisville shop and engine house. Since operations ended in 1995, additional washouts may have occurred. In 1996, Bridge No. 27A, which carried the railroad over Vermont Route 15 in Walden, was removed by the State of Vermont's Agency of Transportation after its abutments became hazardous to highway traffic. Bridge No. 13, which carried the railroad over Mount Vernon Street in St. Johnsbury, also has been removed, because of the instability of its easterly abutment.

Parts of the line may be flooded from time to time because of impoundments of water resulting from beaver dams.

Hazardous waste problems have been reported in the vicinity of the railroad's former Morrisville engine house and shop, a relatively modern cinder-block structure that dates from the late 1960s and that is located in an industrial park adjacent to the historic railroad right-of-way. Effective July 1, 1998, LVRC and the State of Vermont agreed to release the Morrisville engine house (by then no longer in railroad use) from the railroad's leasehold.

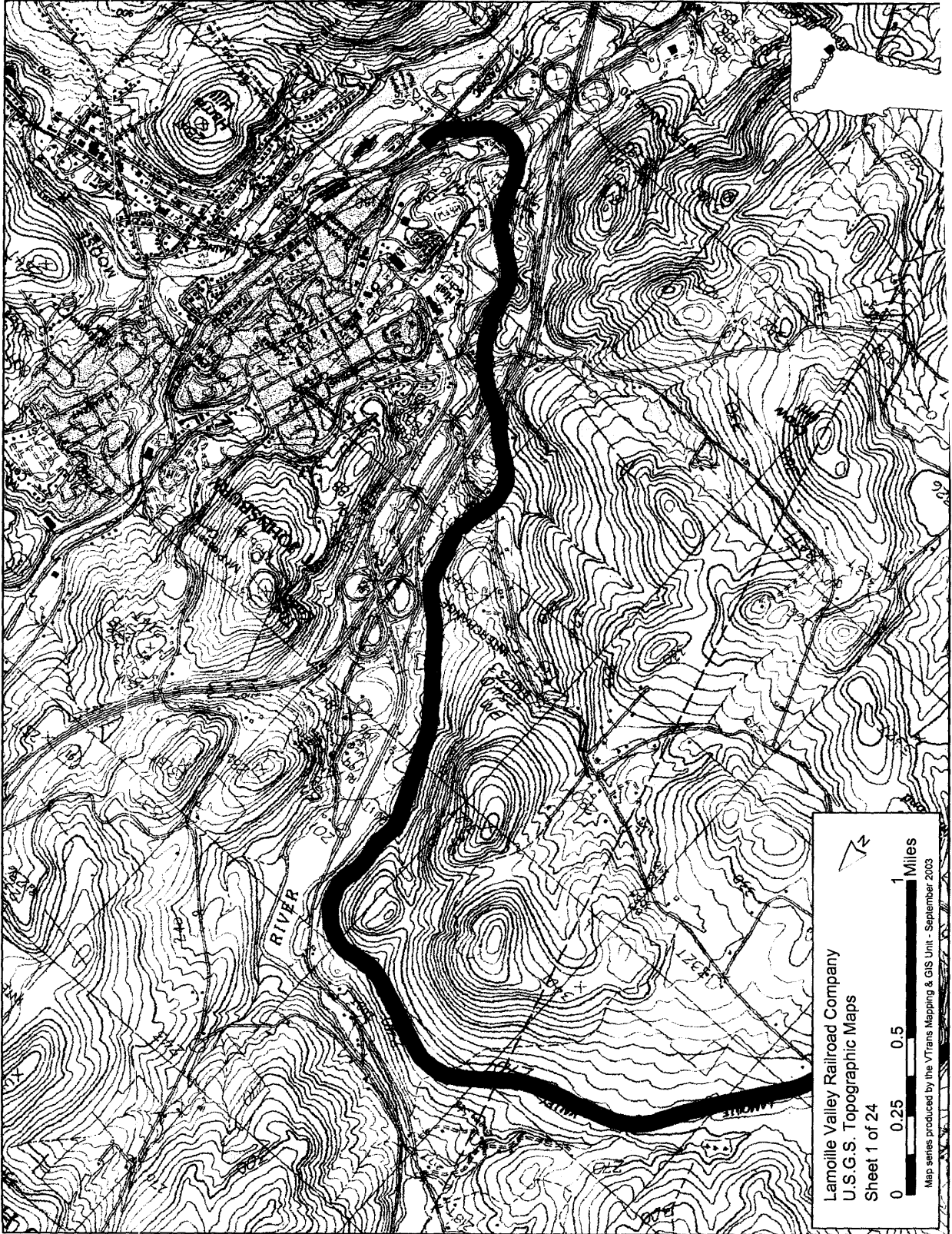
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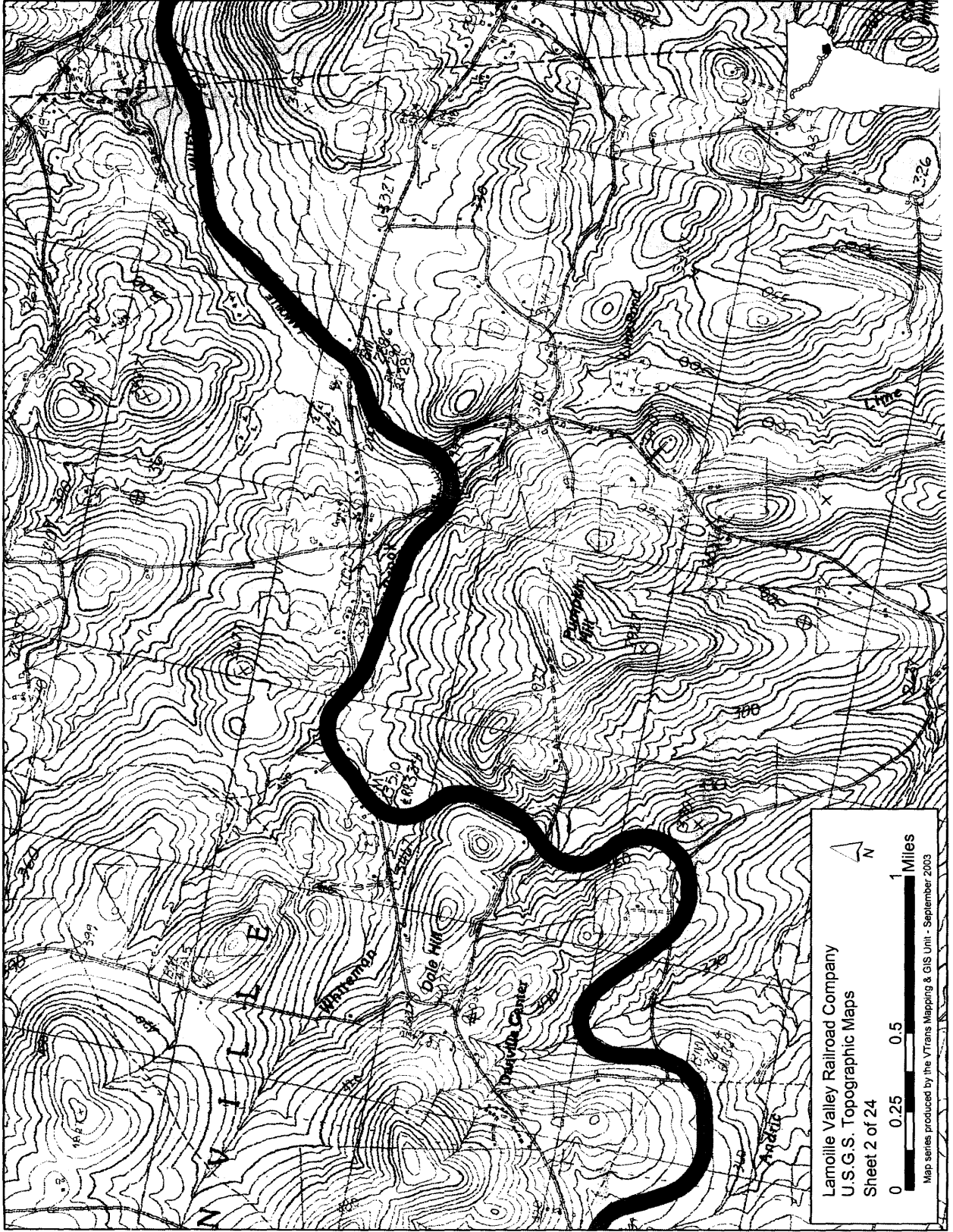
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**APPENDIX A
TO
HISTORIC REPORT**

(U.S.G.S. Topographic Maps)

(49 C.F.R. § 1105.8(d)(1))

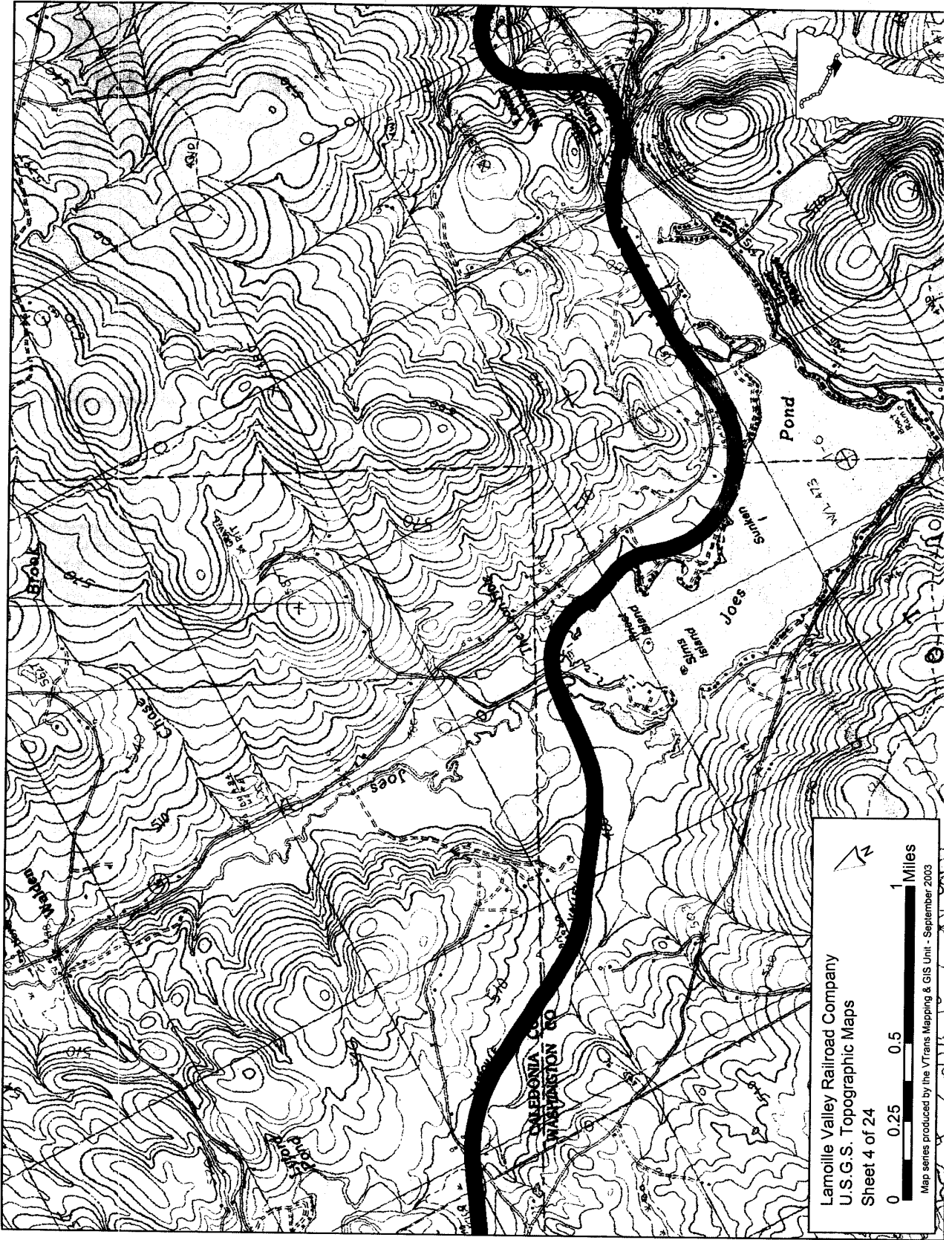




Lamolite Valley Railroad Company
U.S.G.S. Topographic Maps
Sheet 2 of 24

0 0.25 0.5 1 Miles

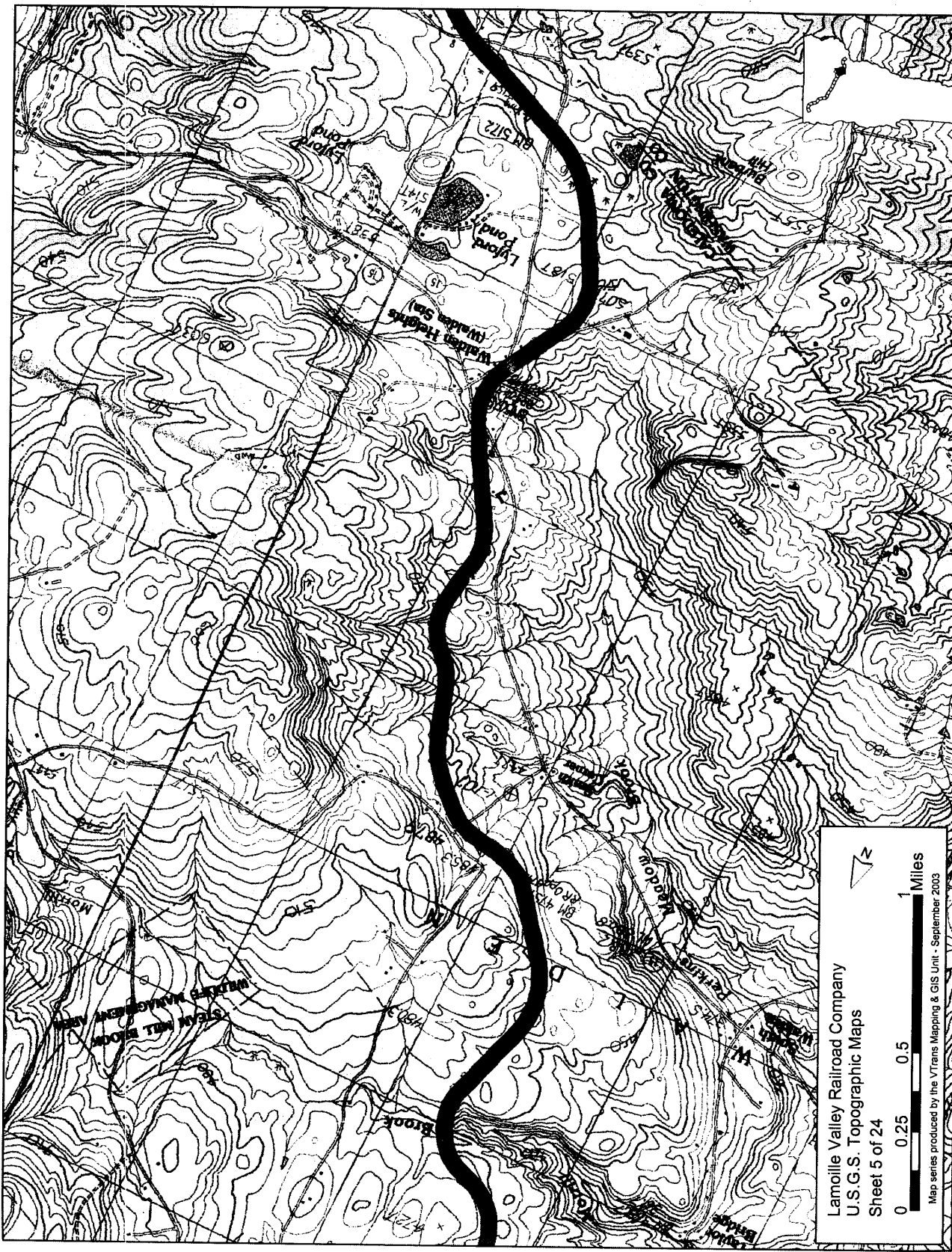
Map series produced by the VTrans Mapping & GIS Unit - September 2003



Lamolle Valley Railroad Company
U.S.G.S. Topographic Maps
Sheet 4 of 24

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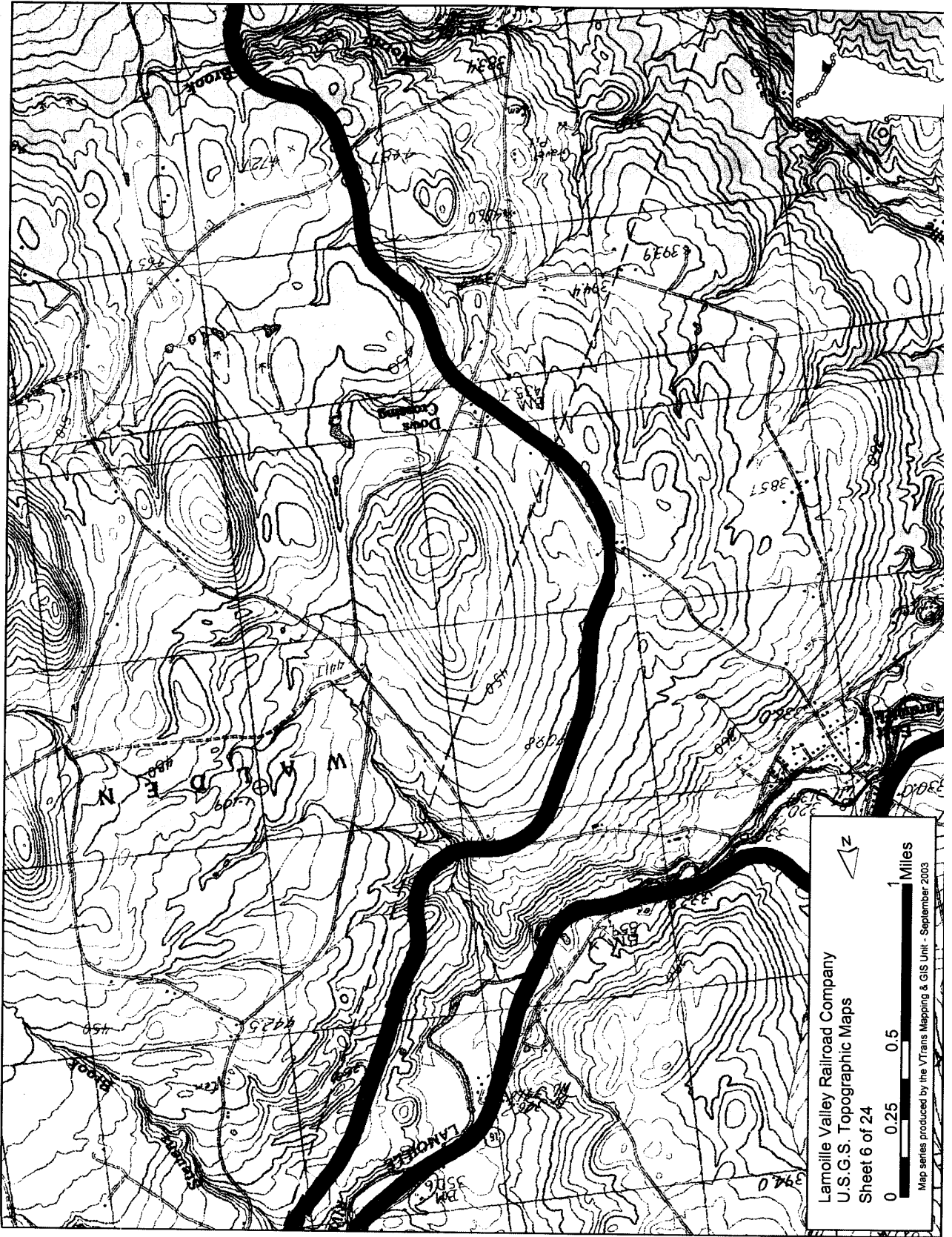
Map series produced by the VTrans Mapping & GIS Unit - September 2003



Lamolle Valley Railroad Company
U.S.G.S. Topographic Maps
Sheet 5 of 24

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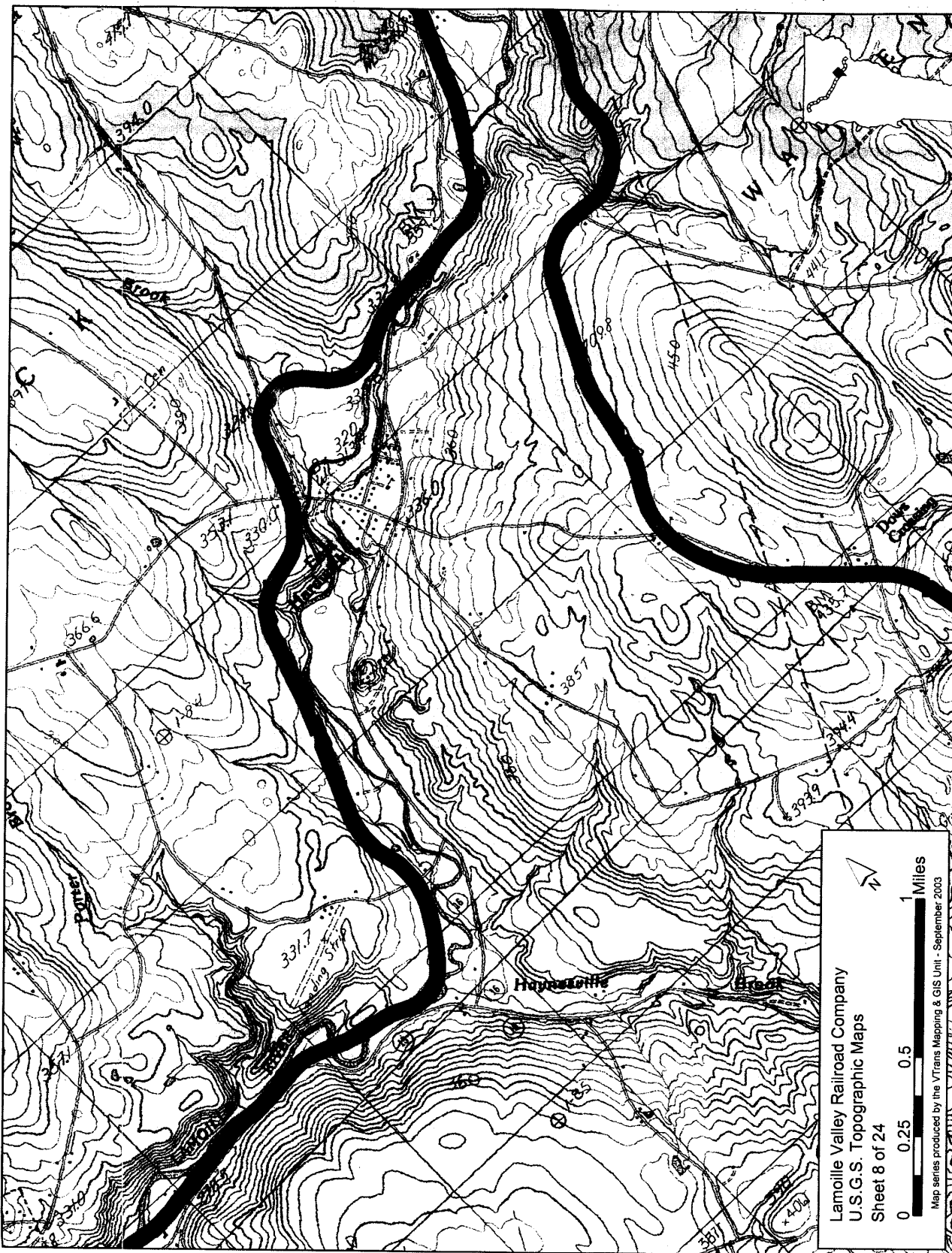
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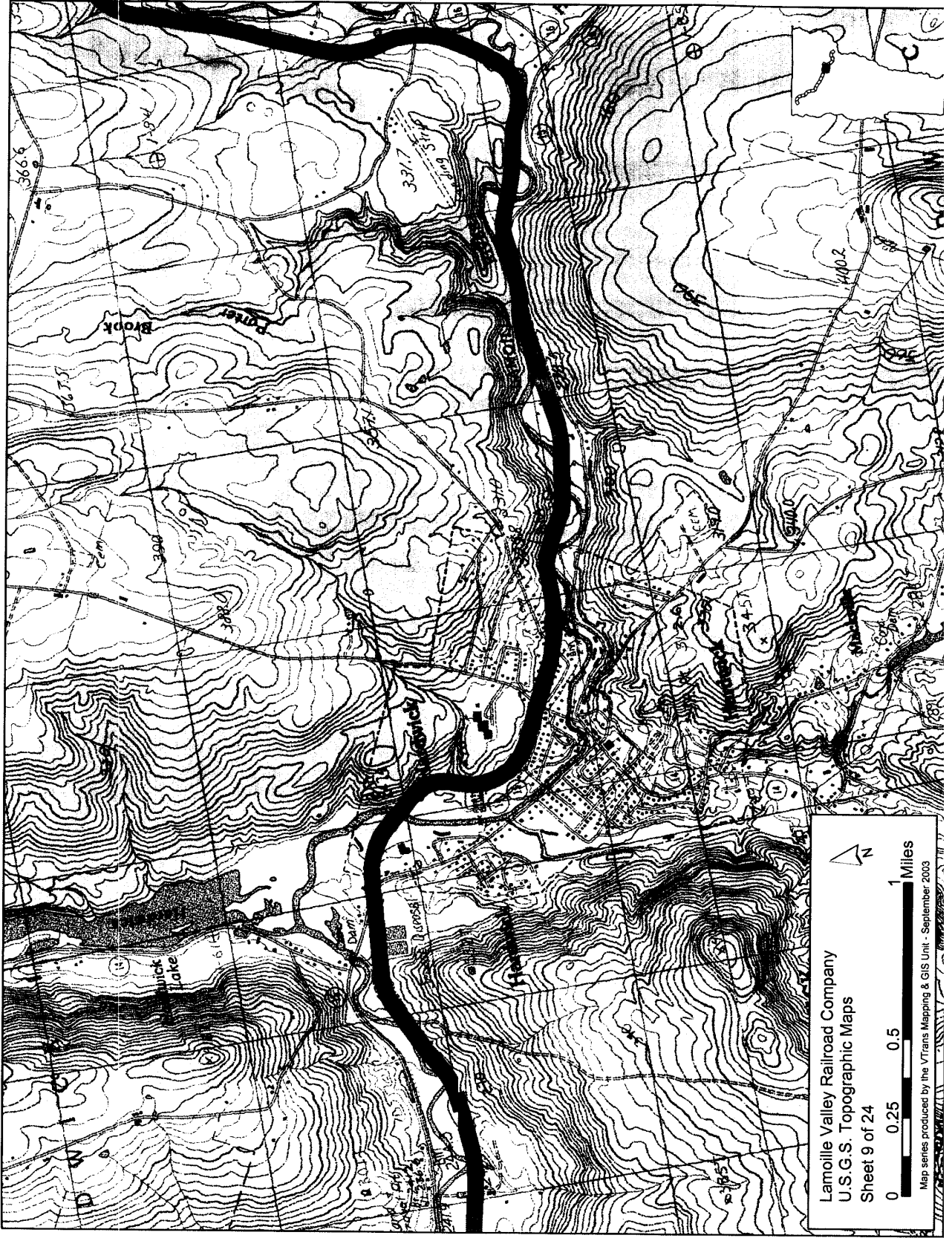
Lamolle Valley Railroad Company
U.S.G.S. Topographic Maps
Sheet 6 of 24

0 0.25 0.5 1 Miles

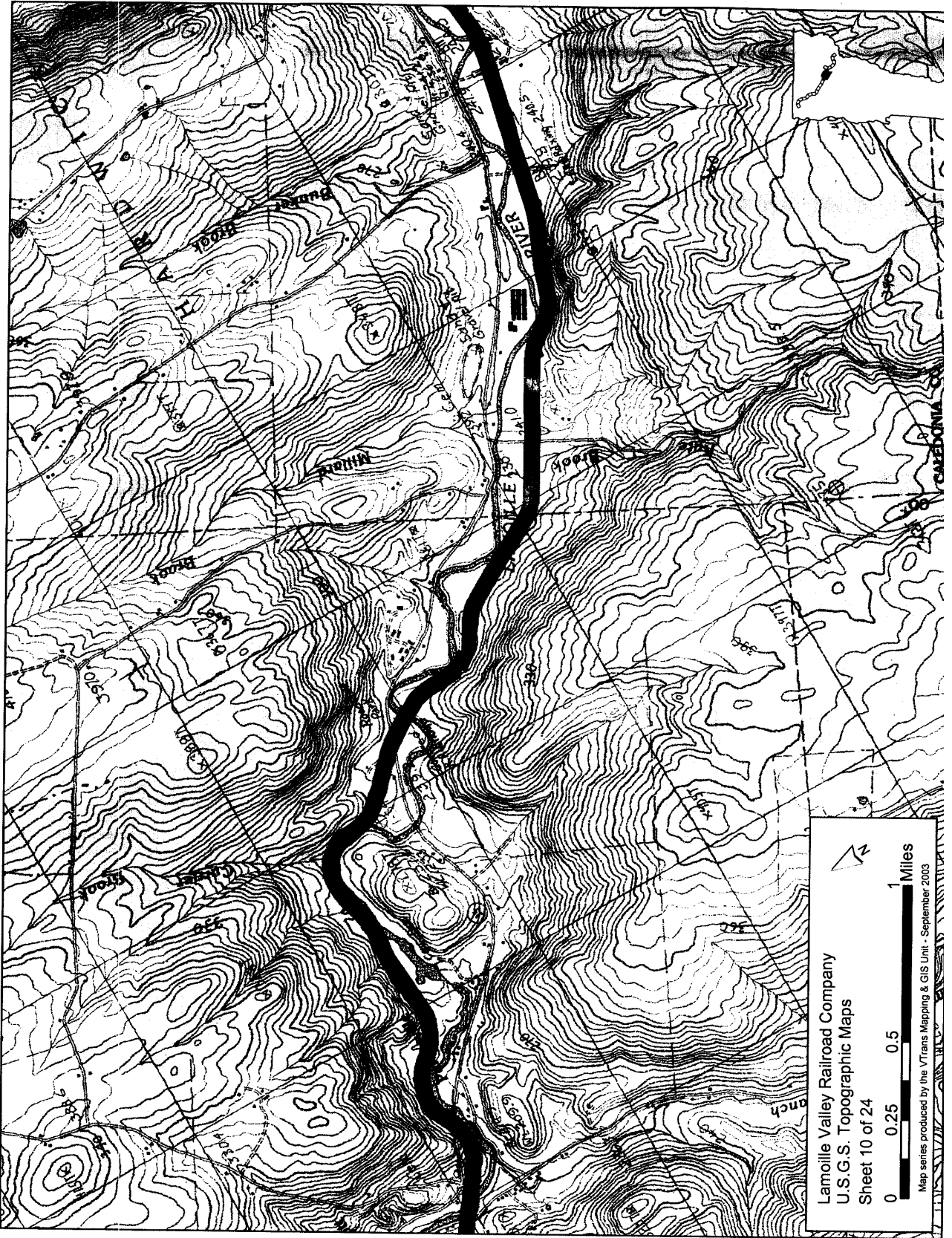
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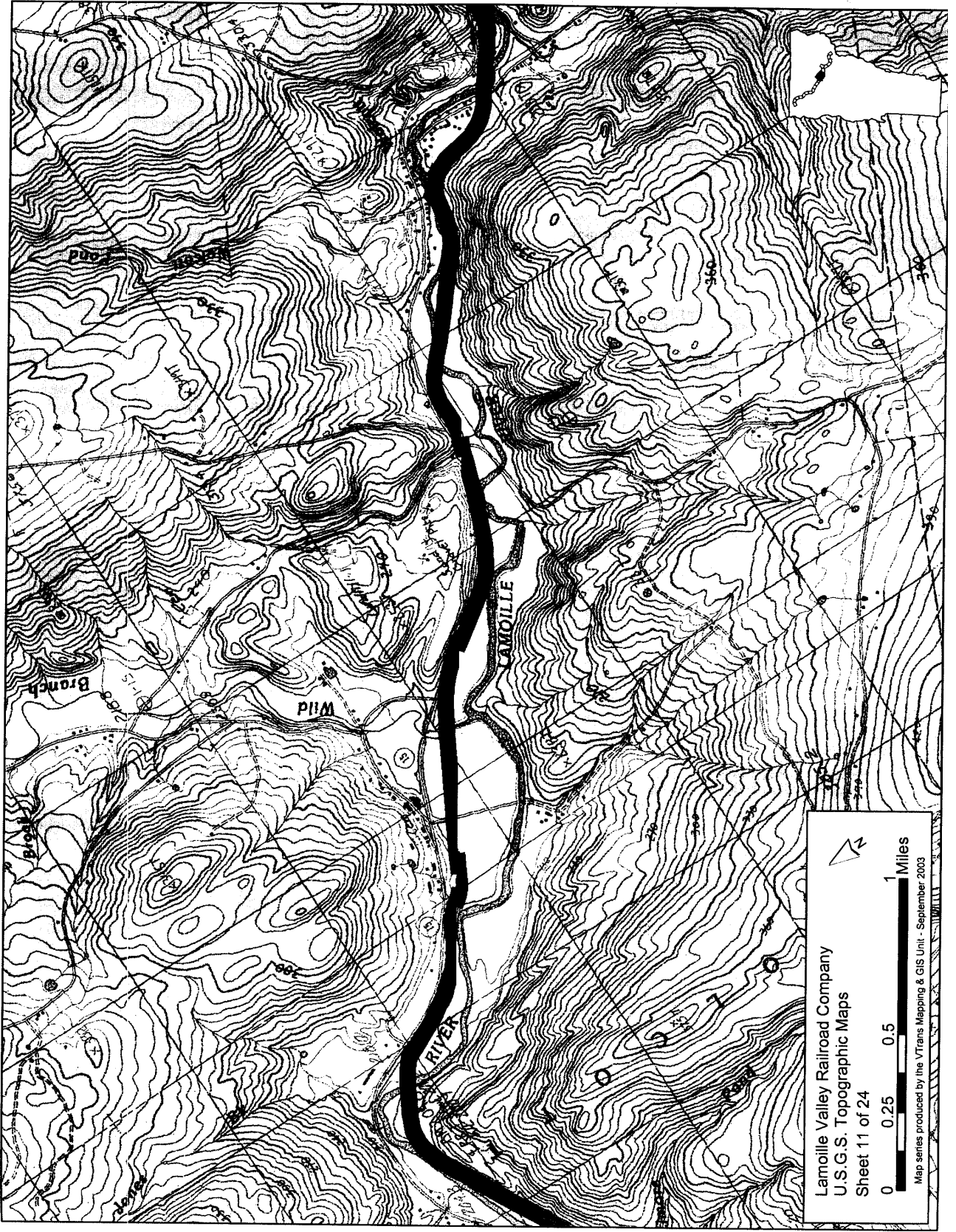
Lamaille Valley Railroad Company
U.S.G.S. Topographic Maps
Sheet 8 of 24
Map series produced by the VTrans Mapping & GIS Unit - September 2003



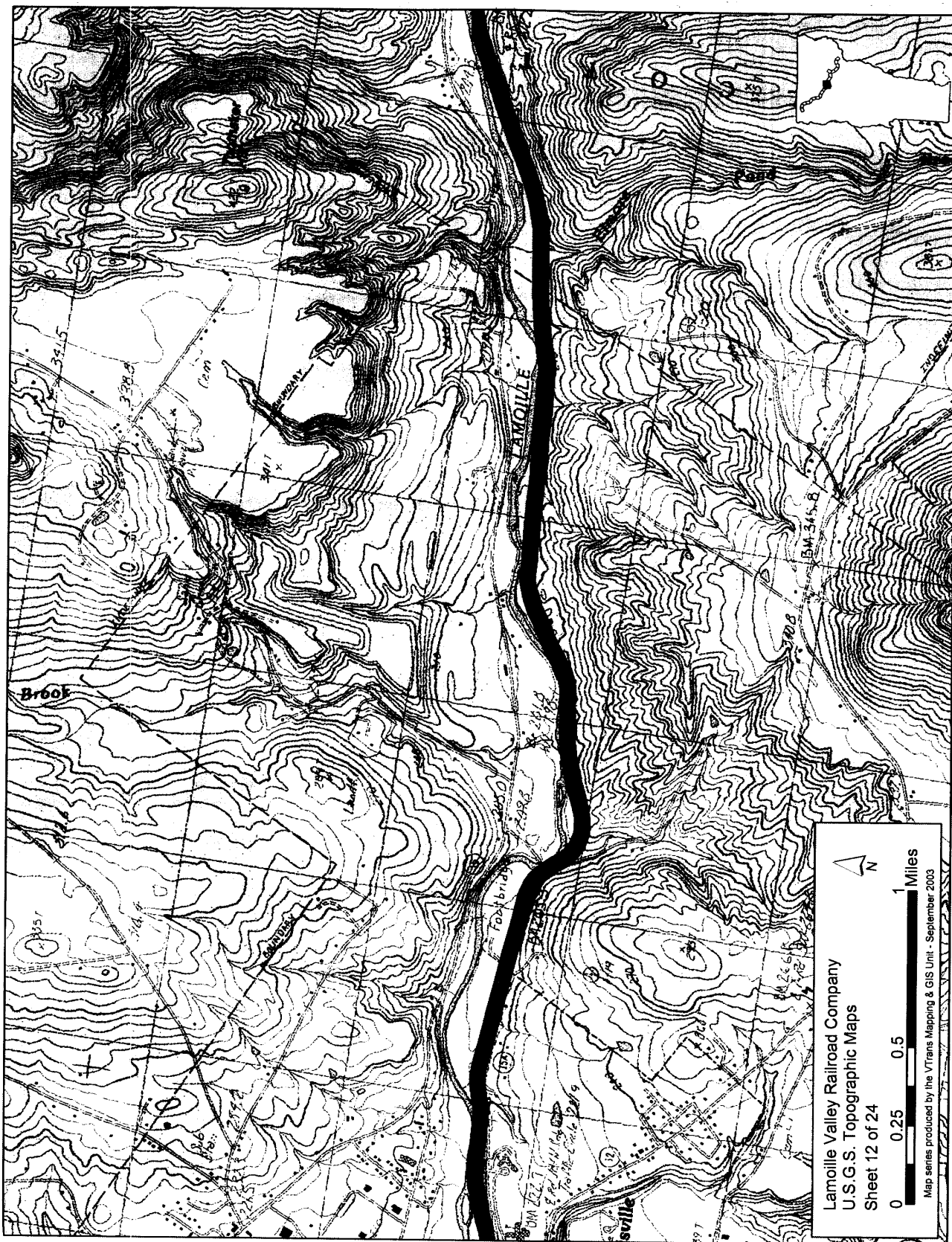
Lamolle Valley Railroad Company
U.S.G.S. Topographic Maps
Sheet 9 of 24
0 0.25 0.5 1 Miles
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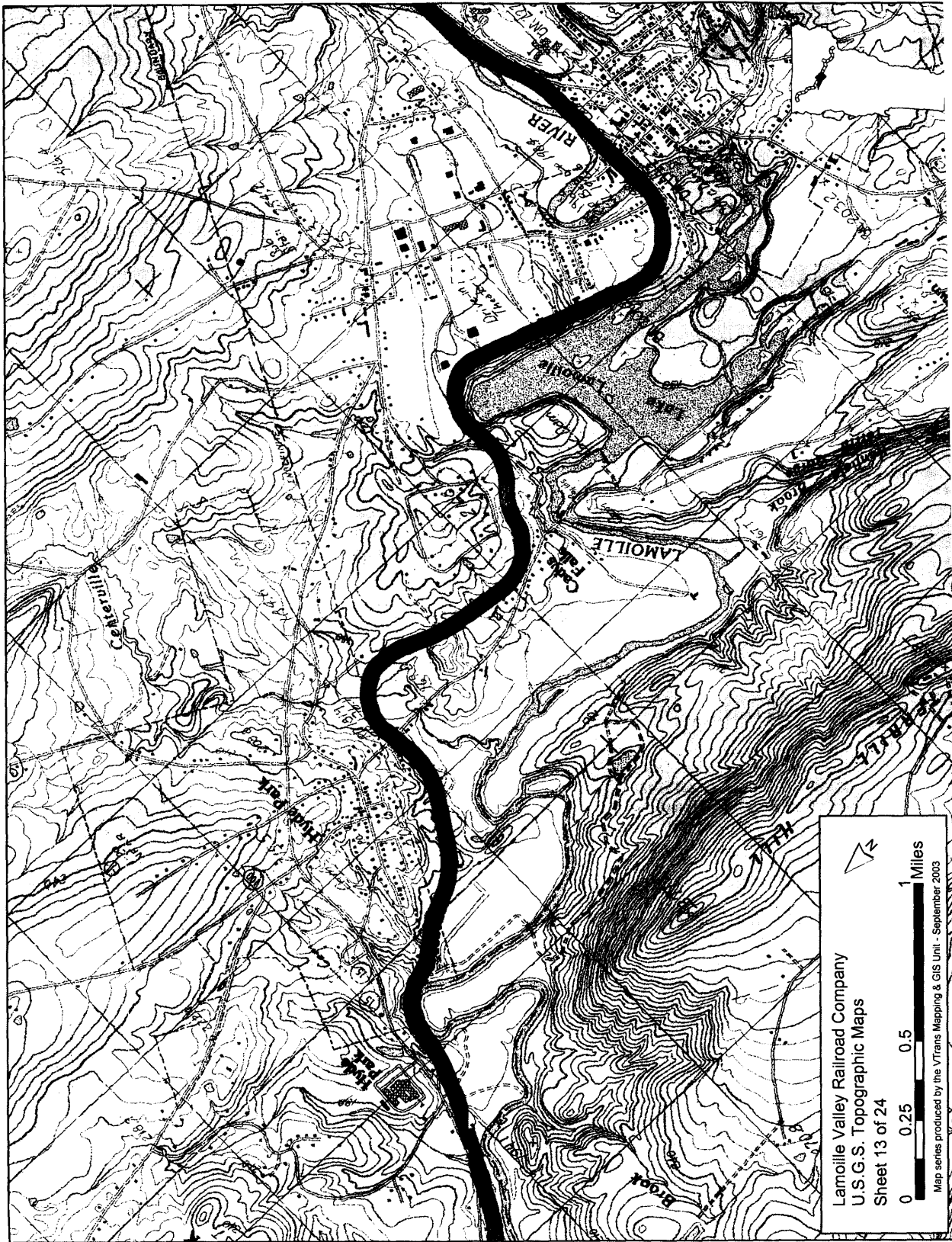


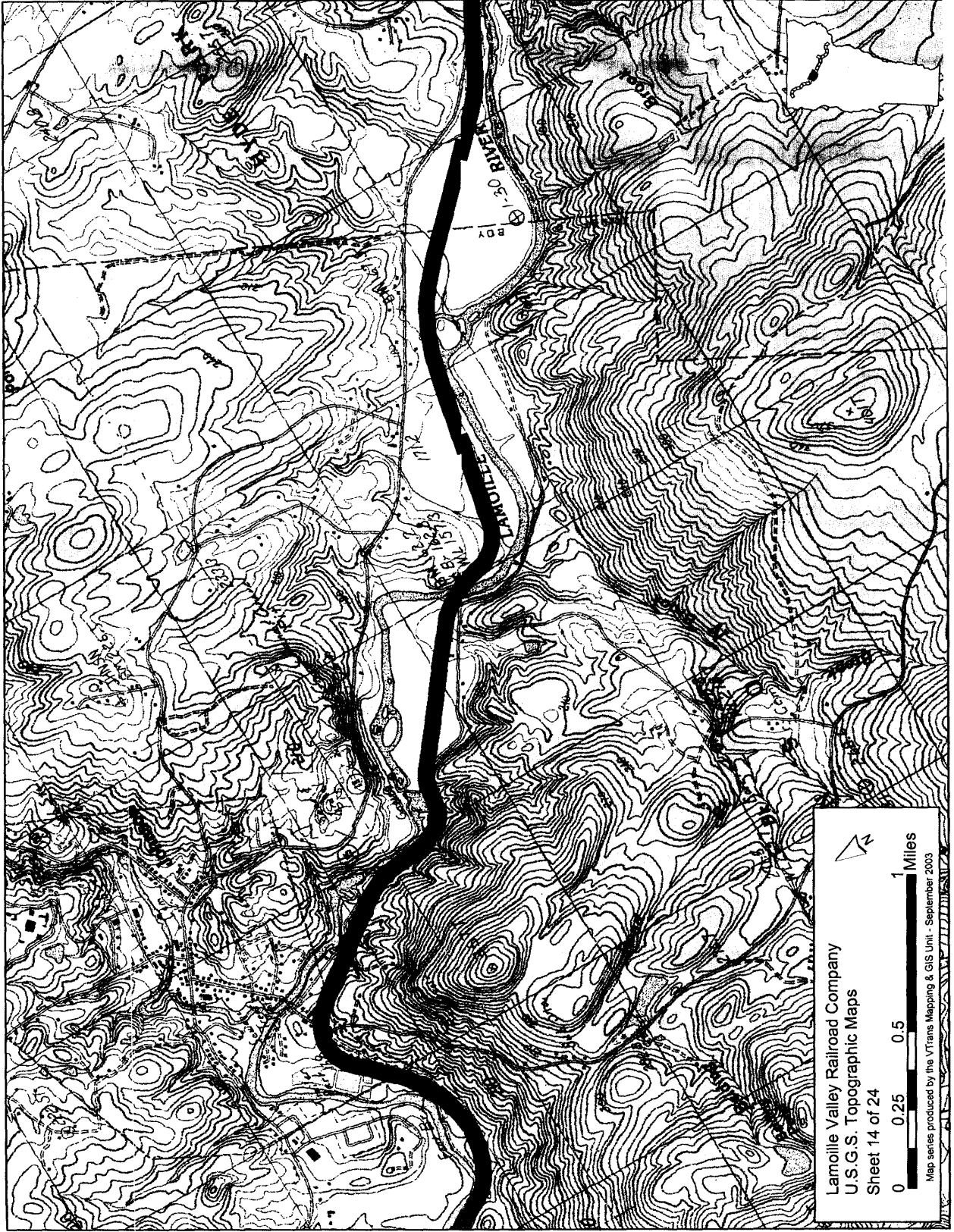
Lamolle Valley Railroad Company
U.S.G.S. Topographic Maps
Sheet 10 of 24
0 0.25 0.5 1 Miles
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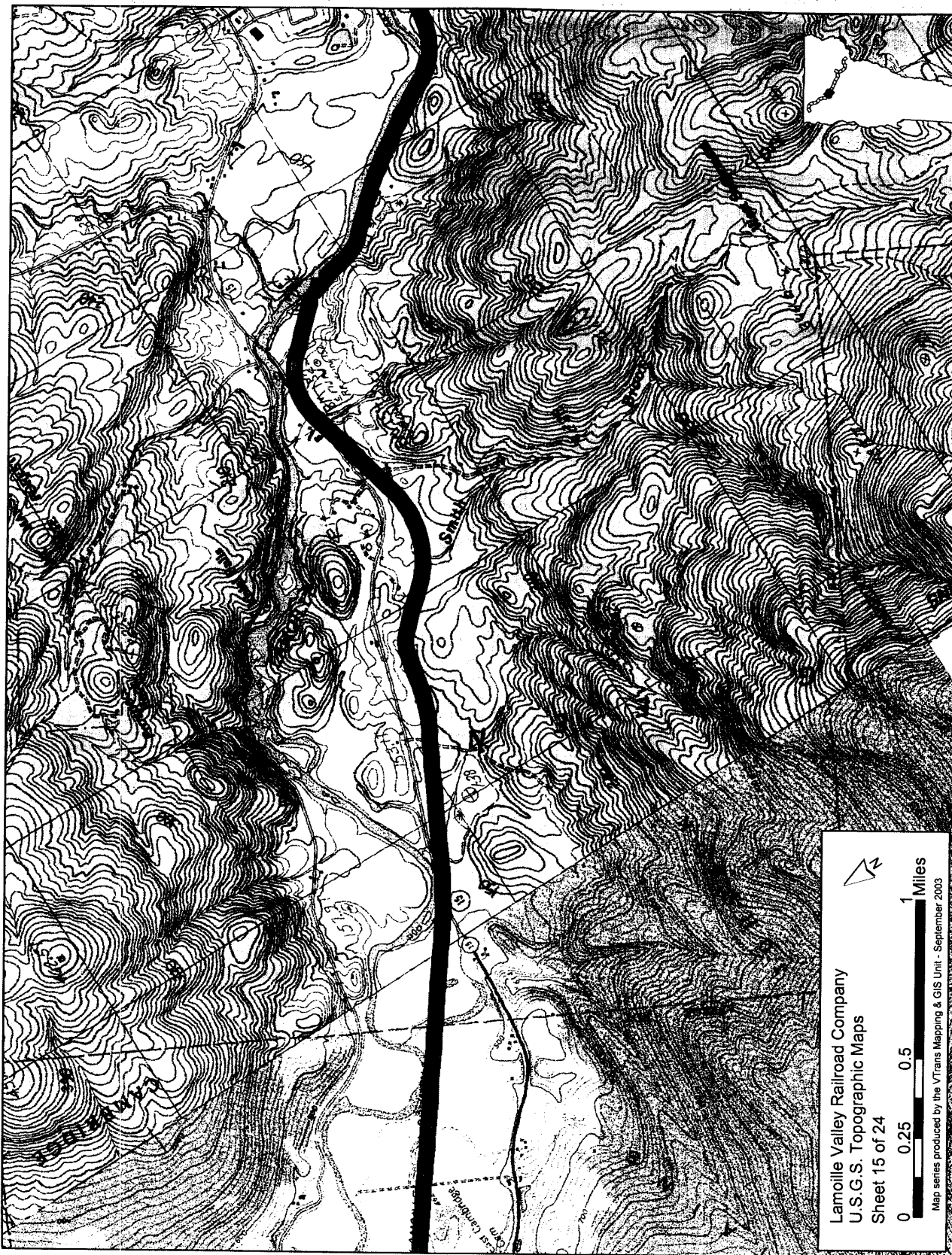


Lamolle Valley Railroad Company
U.S.G.S. Topographic Maps
Sheet 11 of 24
0 0.25 0.5 1 Miles
Map series produced by the VTrans Mapping & GIS Unit - September 2003



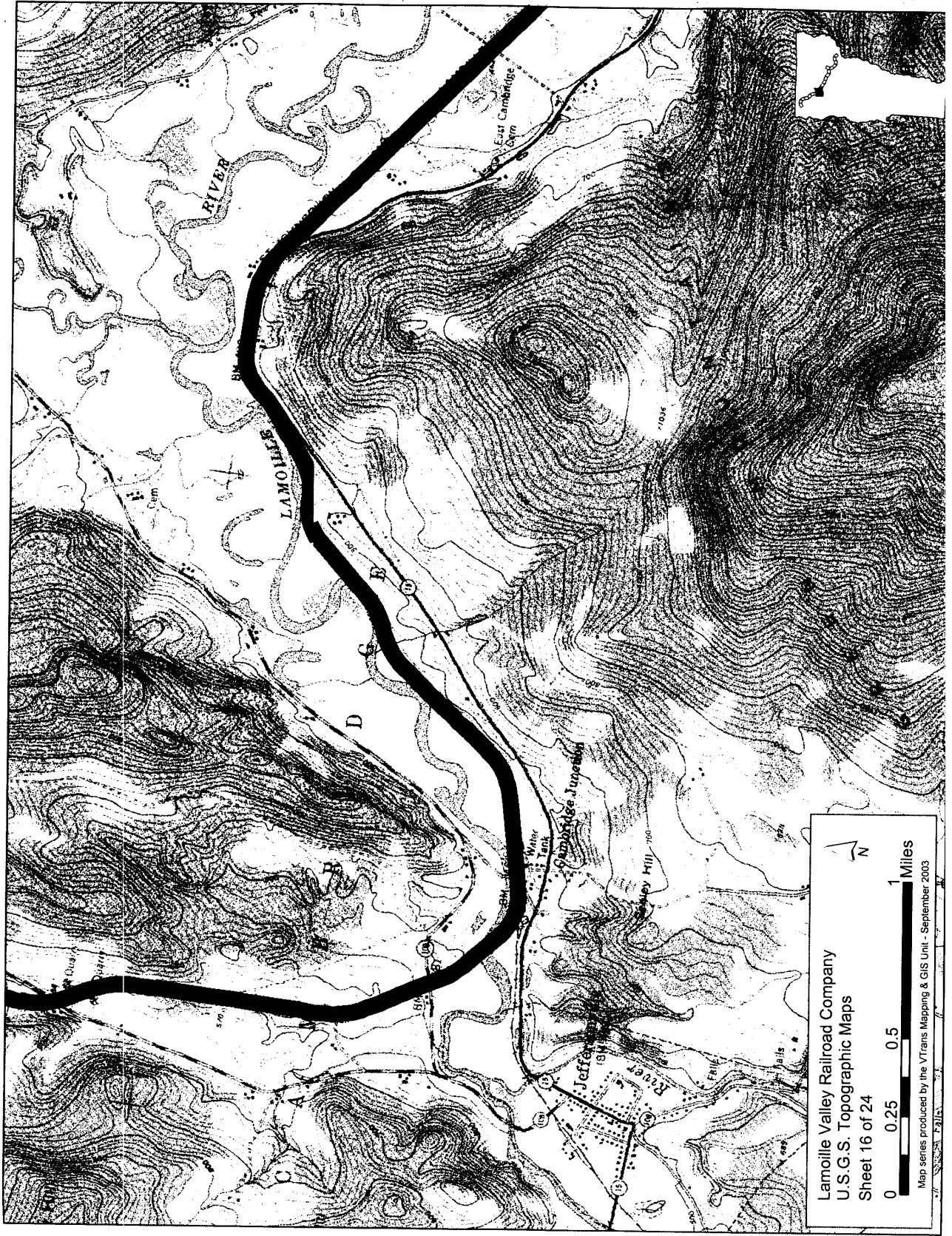


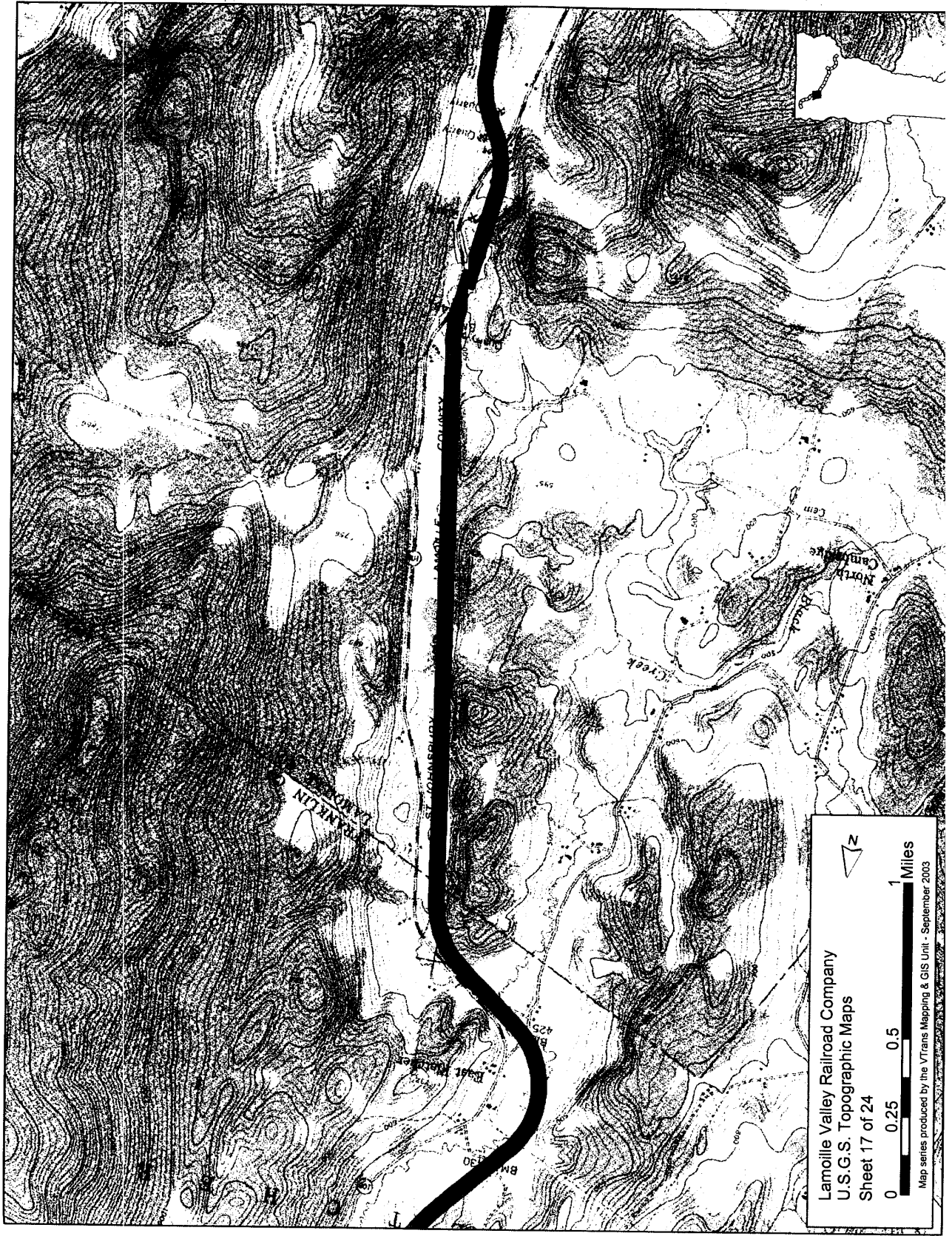




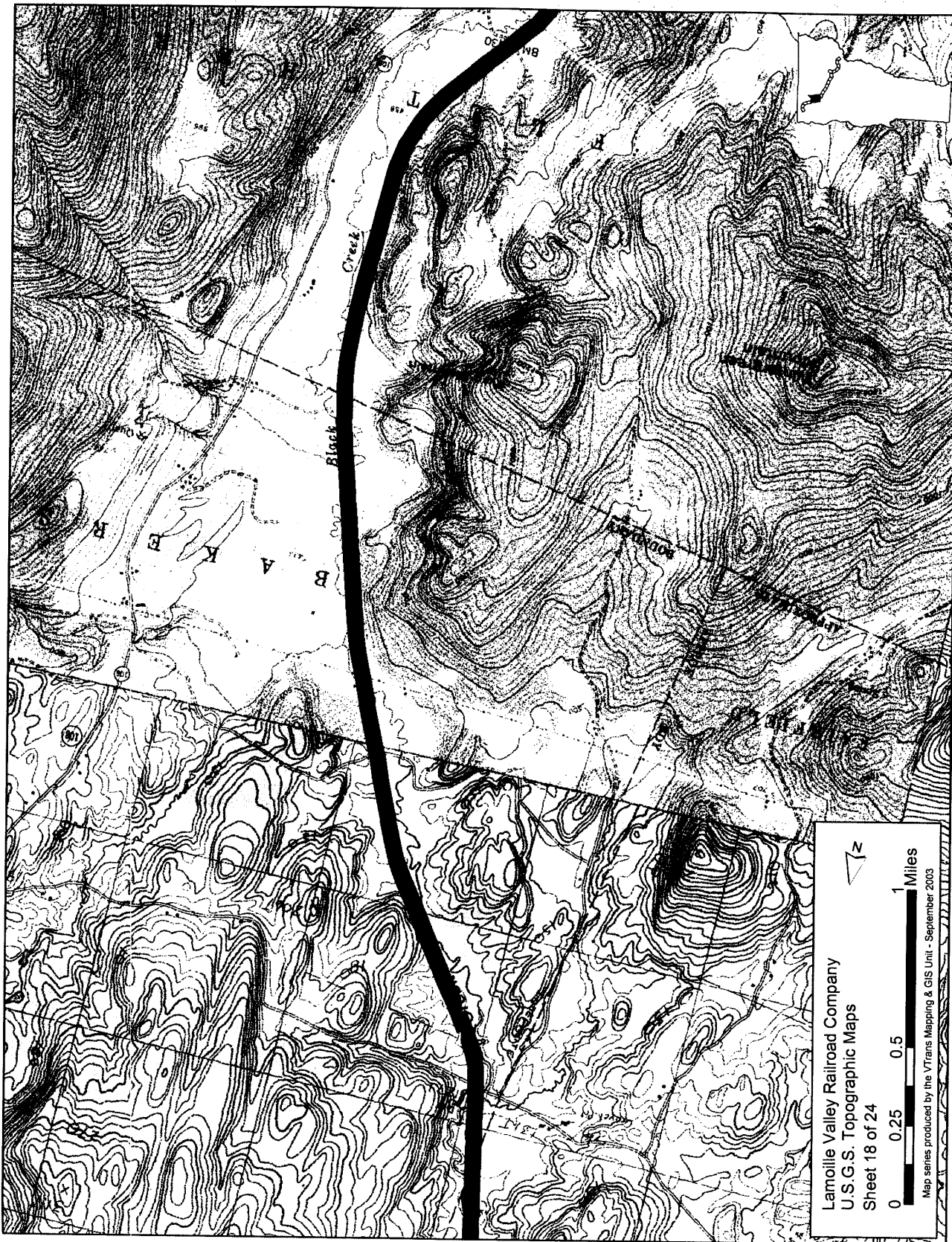
Lamoille Valley Railroad Company
U.S.G.S. Topographic Maps
Sheet 15 of 24

0 0.25 0.5 1 Miles
Map series produced by the VTtrans Mapping & GIS Unit - September 2003





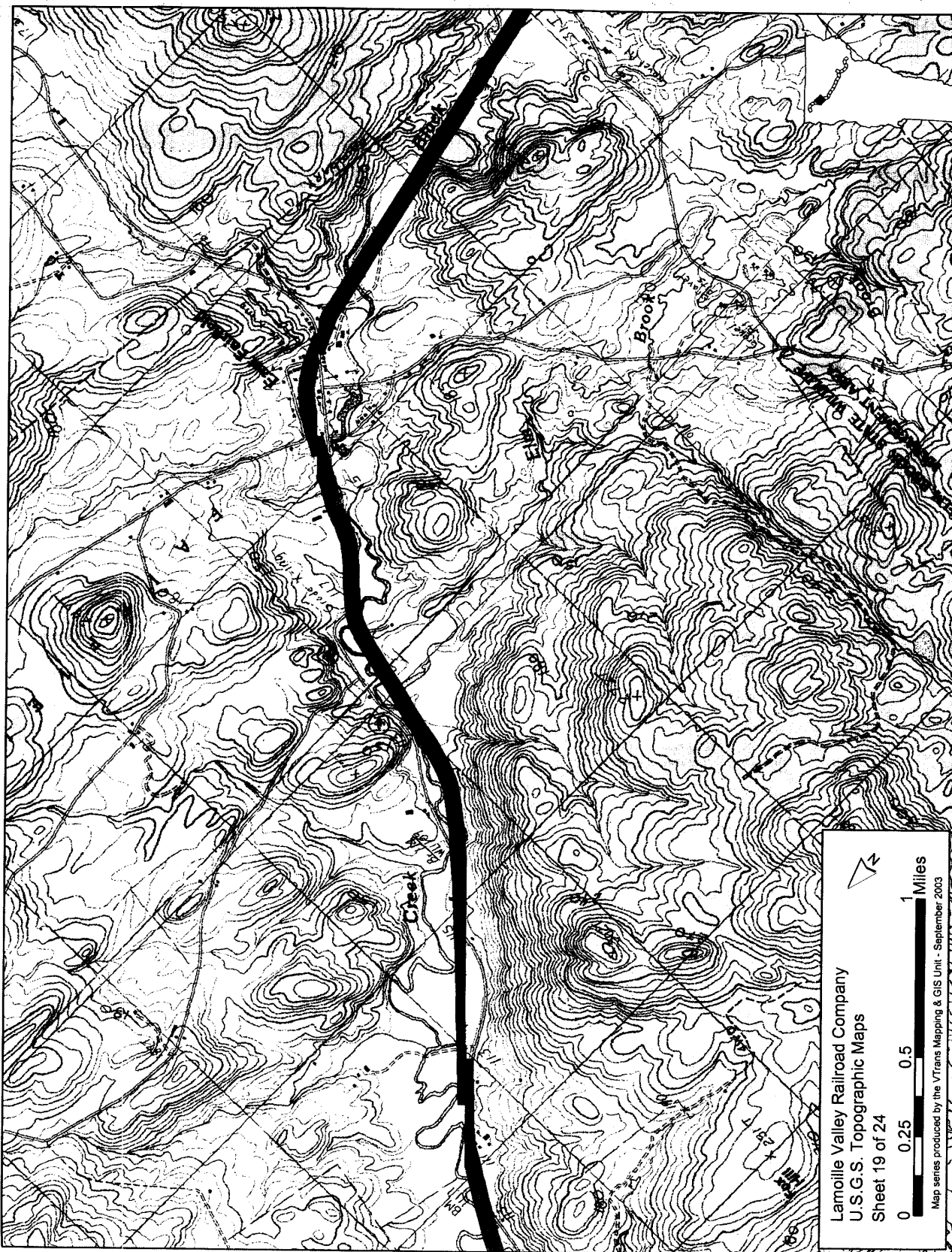
Lamolle Valley Railroad Company
U.S.G.S. Topographic Maps
Sheet 17 of 24
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Map series produced by the VTrans Mapping & GIS Unit - September 2003



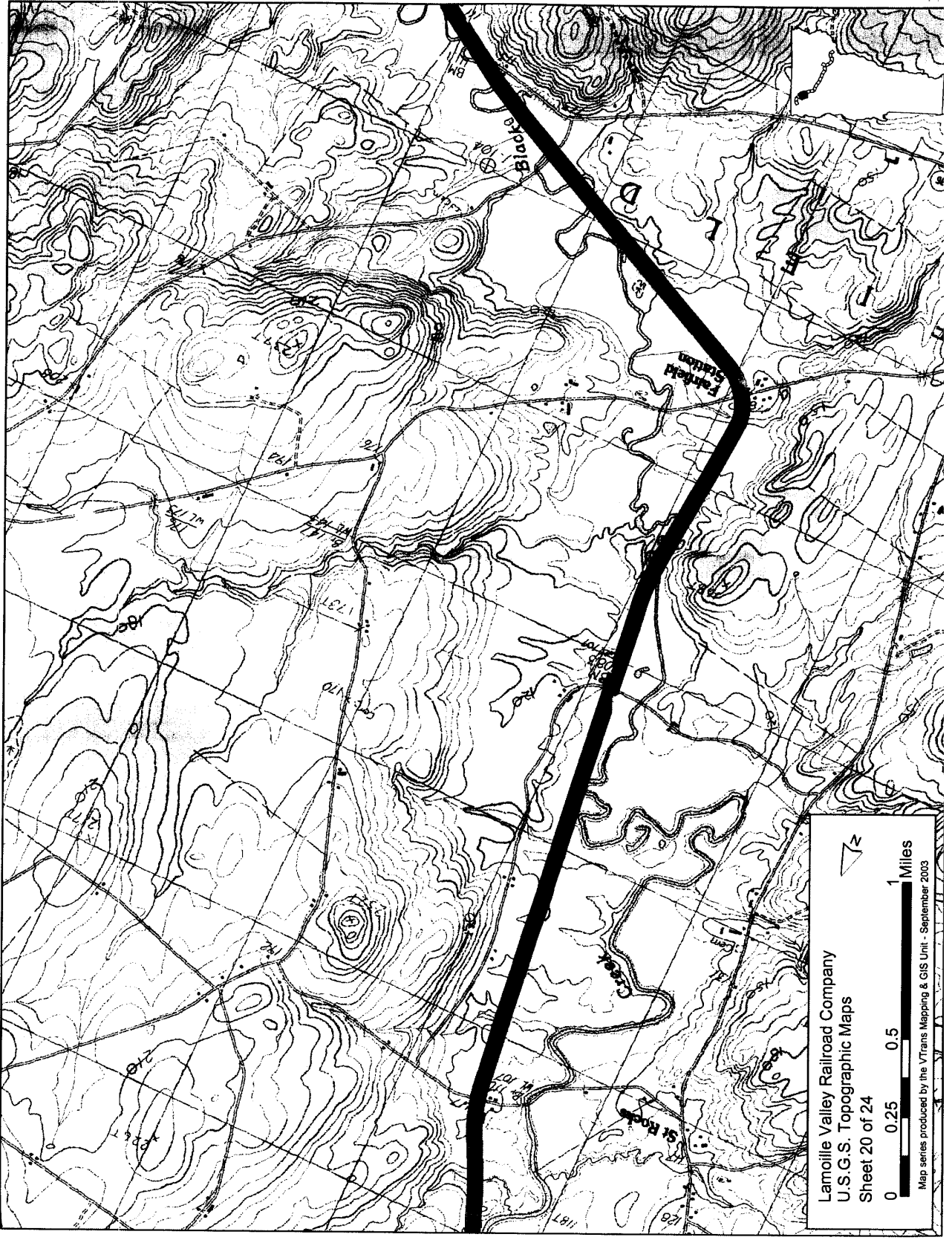
Lamolle Valley Railroad Company
U.S.G.S. Topographic Maps
Sheet 18 of 24



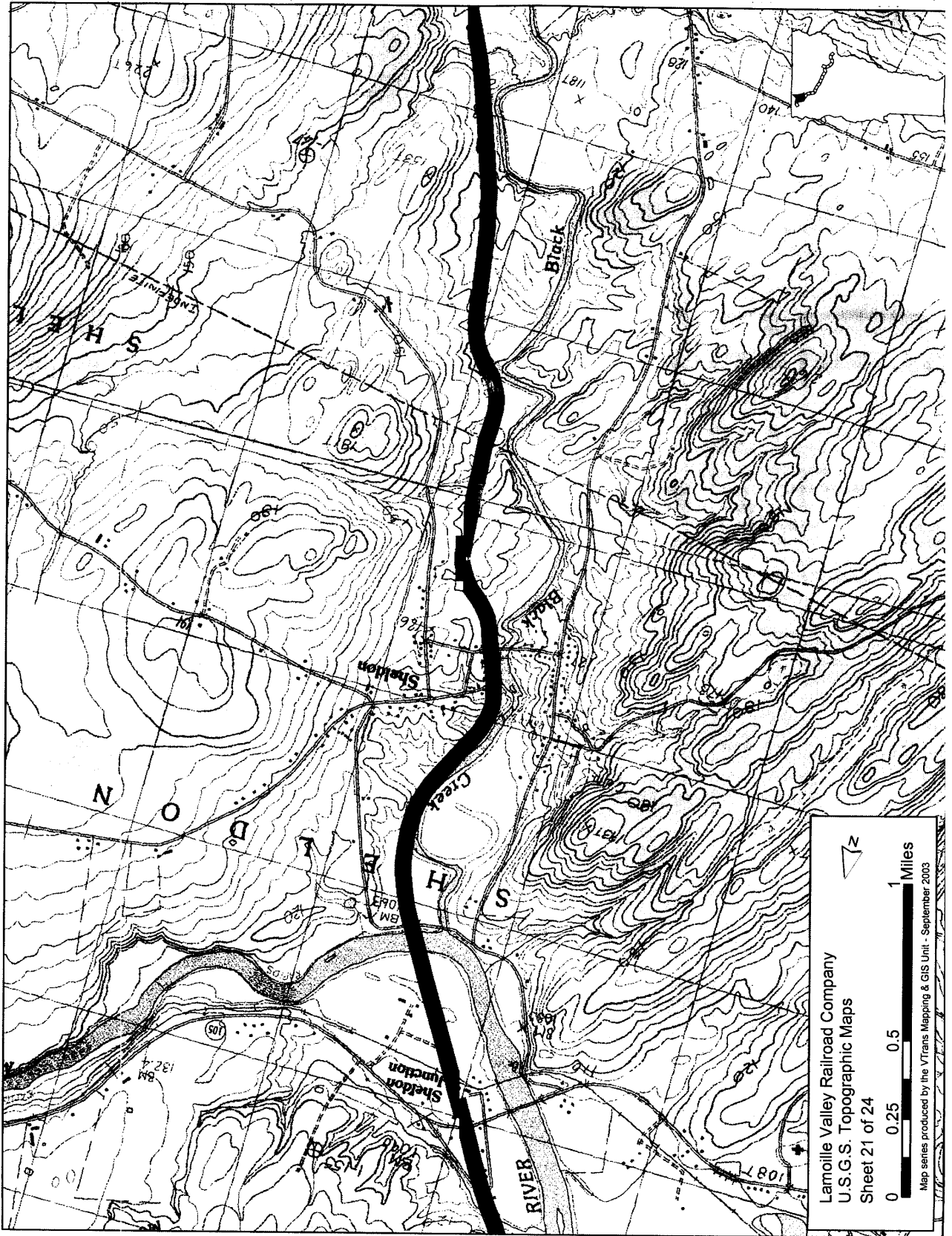
Map series produced by the VTrans Mapping & GIS Unit - September 2003



Lamolle Valley Railroad Company
U.S.G.S. Topographic Maps
Sheet 19 of 24
0 0.25 0.5 1 Miles
Map series produced by the VTrans Mapping & GIS Unit - September 2003



Lamoille Valley Railroad Company
U.S.G.S. Topographic Maps
Sheet 20 of 24
0 0.25 0.5 1 Miles
Map series produced by the VTTrans Mapping & GIS Unit - September 2003

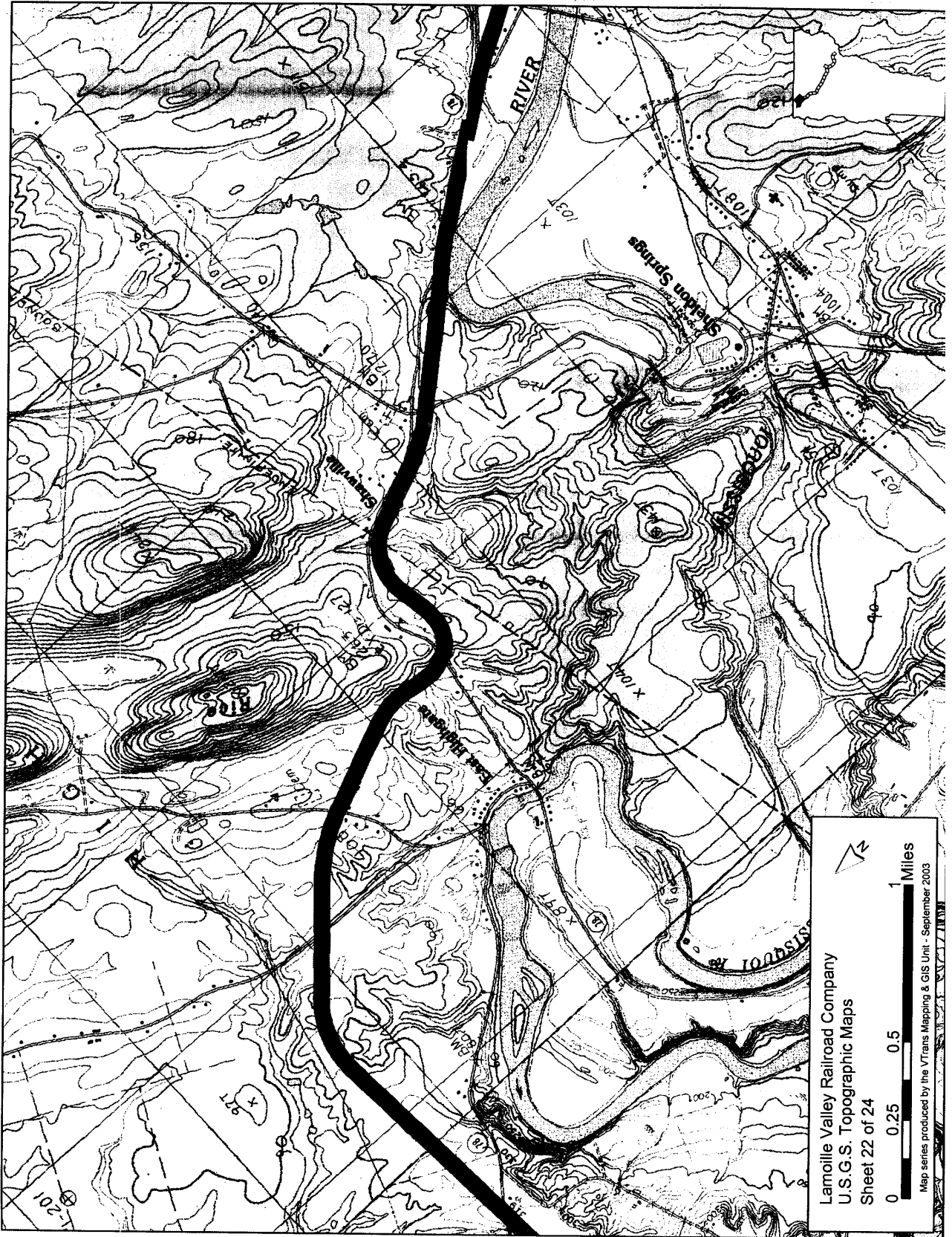


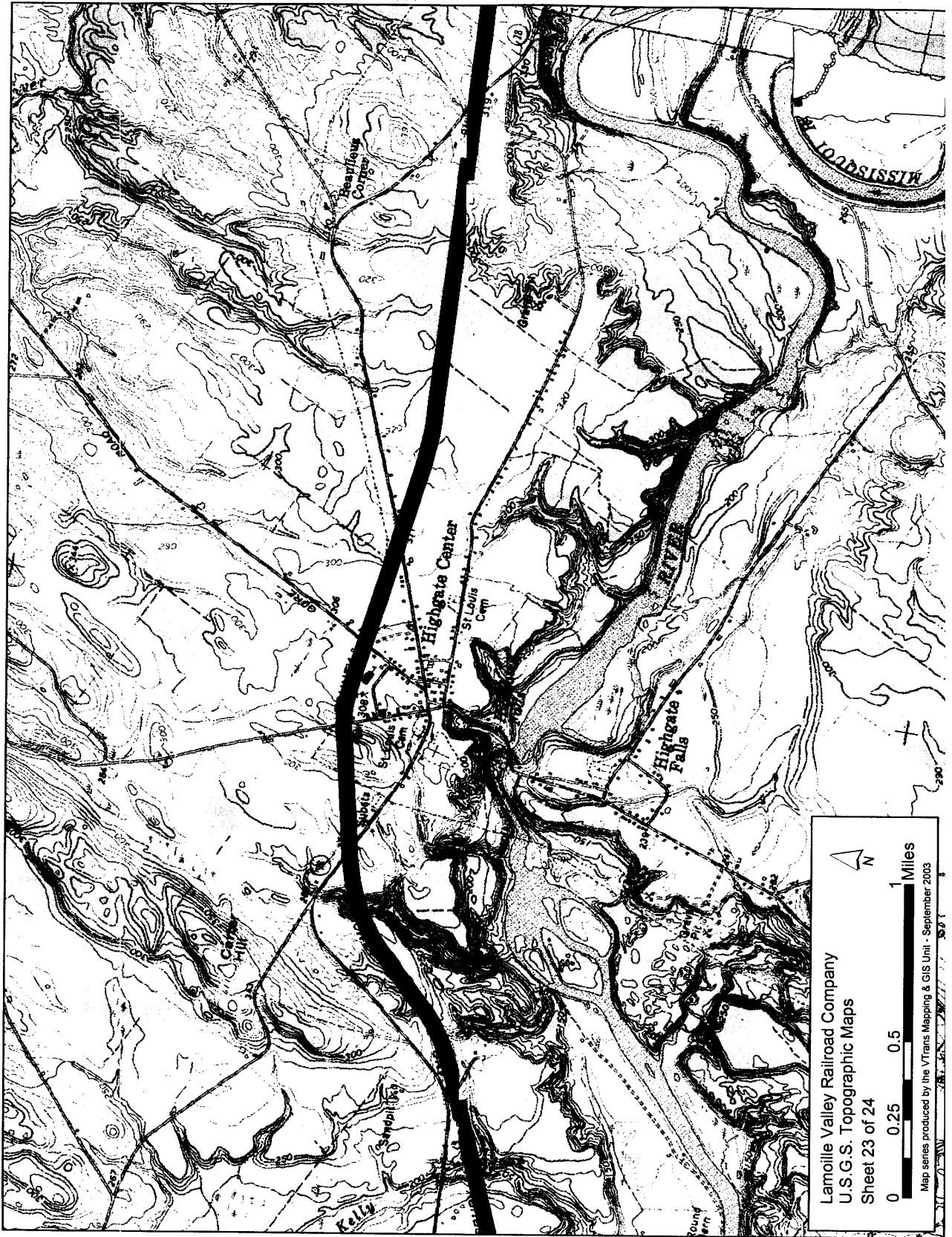
Lamotte Valley Railroad Company

U.S.G.S. Topographic Maps

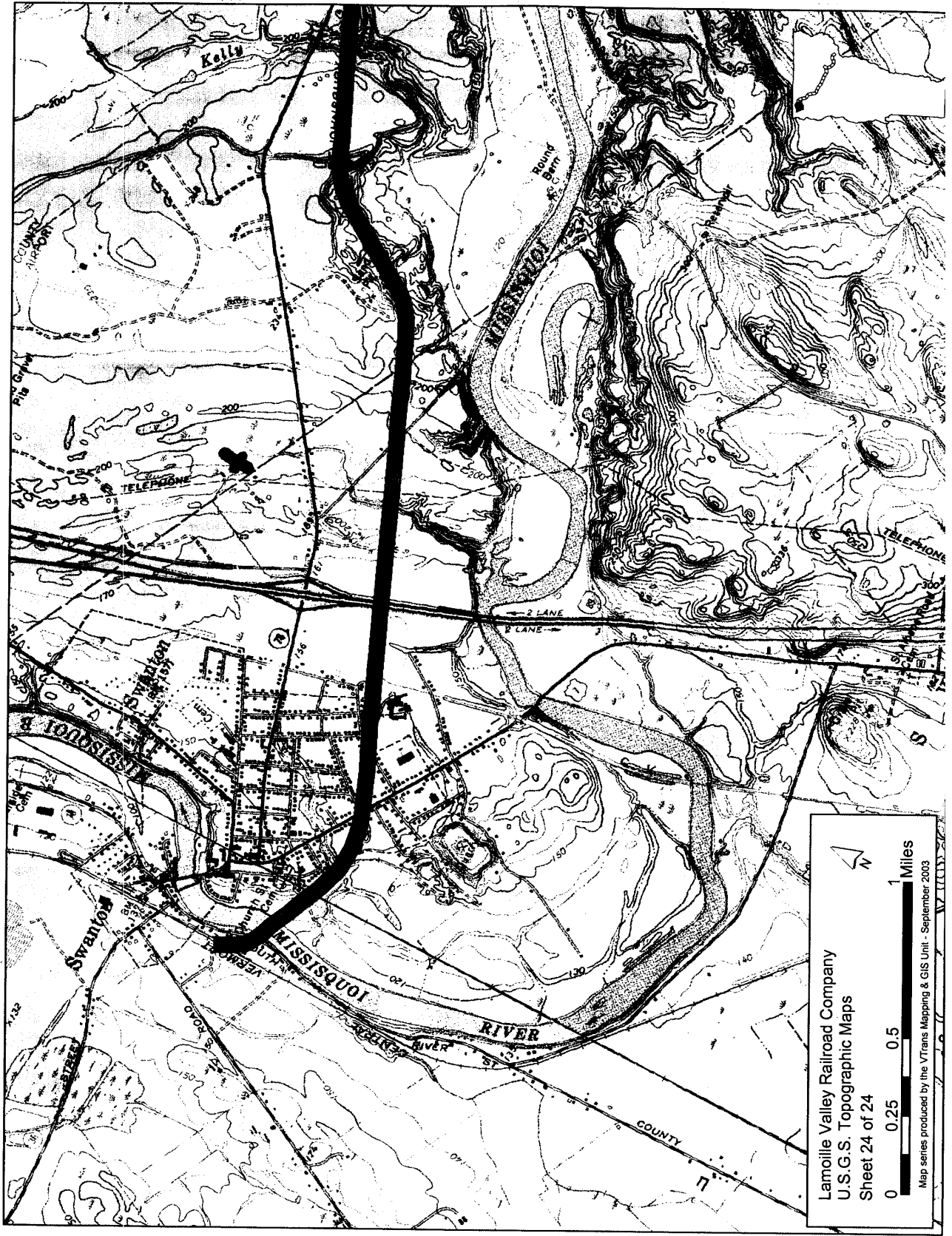
Sheet 21 of 24

0 0.25 0.5 1 Miles
Map series produced by the VTrans Mapping & GIS Unit - September 2003





Lamolle Valley Railroad Company
U.S.G.S. Topographic Maps
Sheet 23 of 24
0 0.25 0.5 1 Miles
Map series produced by the VTrans Mapping & GIS Unit - September 2003



Lamolite Valley Railroad Company
U.S.G.S. Topographic Maps
Sheet 24 of 24

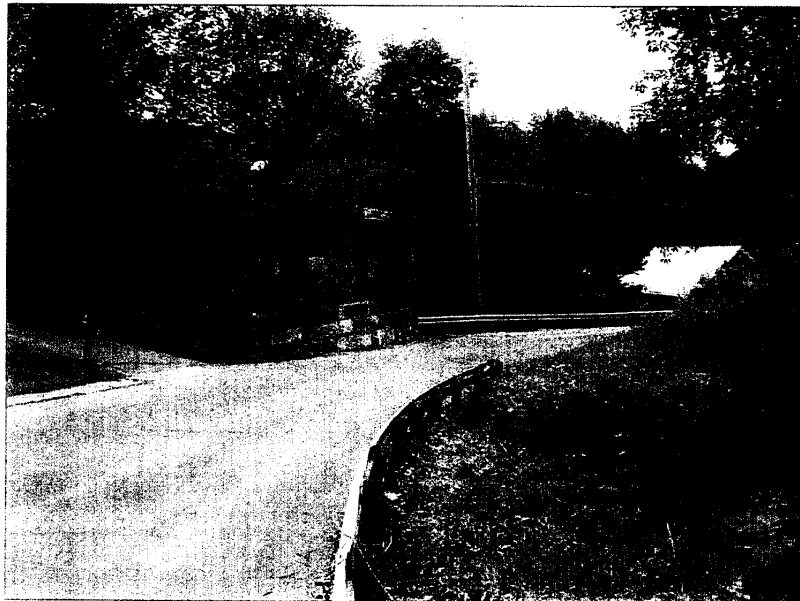
0 0.25 0.5 1 Miles

Map series produced by the VTrans Mapping & GIS Unit - September 2003

APPENDIX B
TO
HISTORIC REPORT

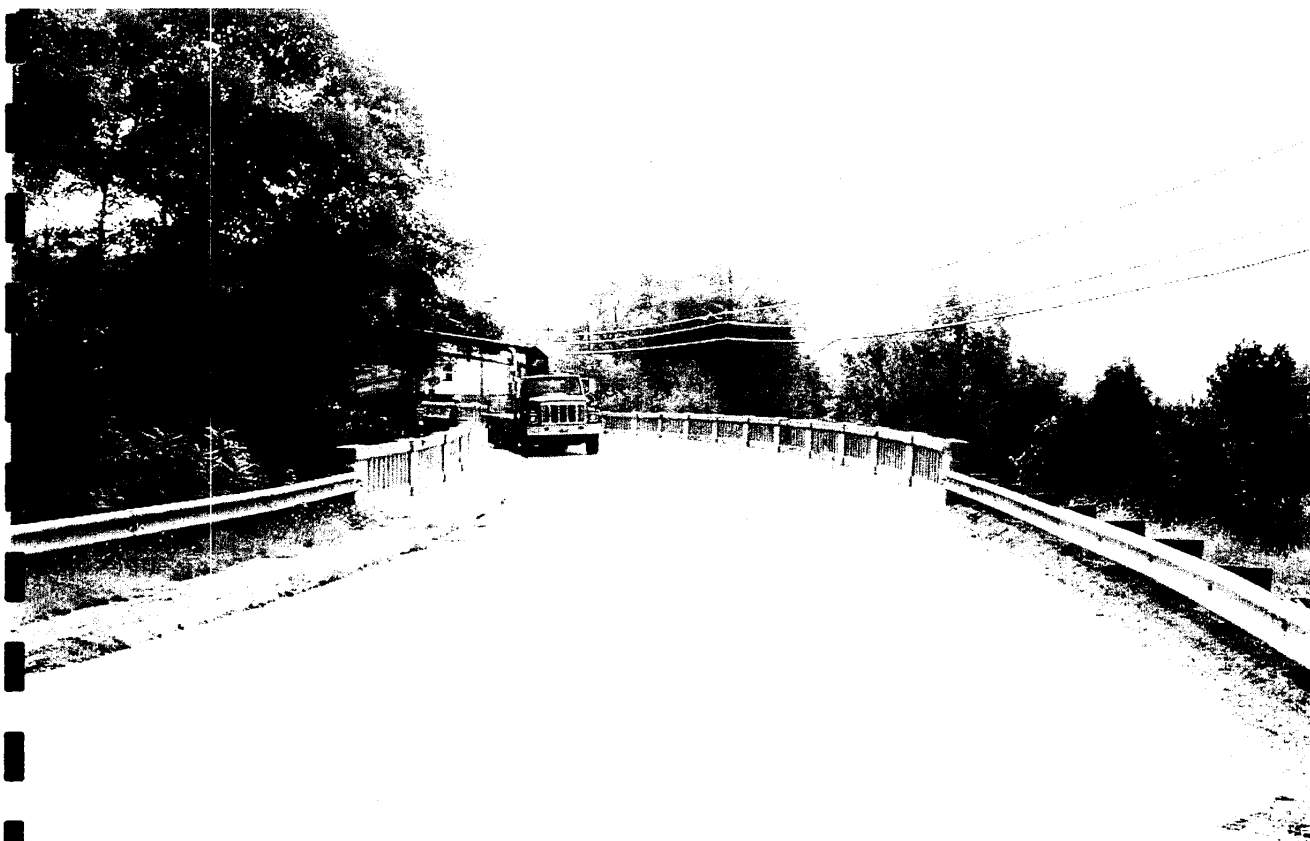
(Photographs of Railroad-owned Structures
that are 50 Years Old or Older)

(49 C.F.R. § 1105.8(d)(3))



St. Johnsbury
Milepost: 1.60

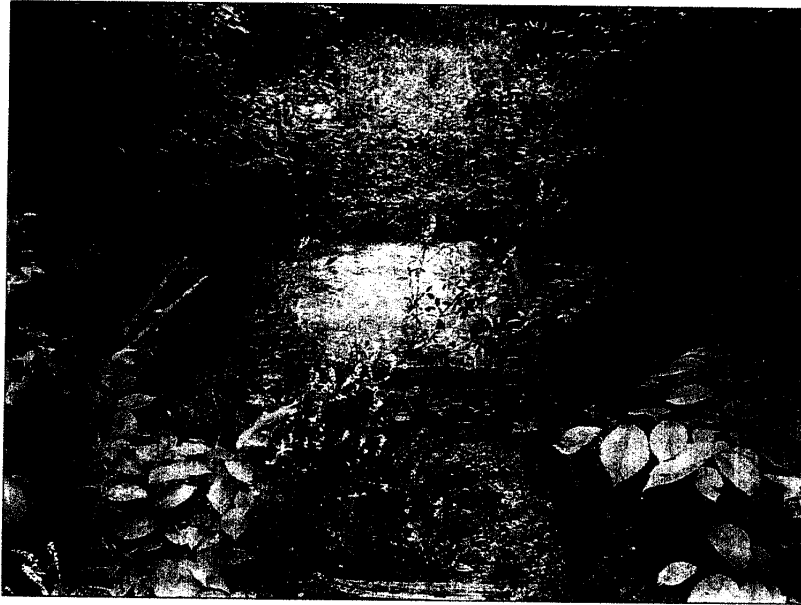
<i>Bridge No.</i>	<i>Milepost</i>	<i>Town</i>	<i>Feature Crossed</i>
14	2.07	Danville	VT 2B (Old US 2)



<i>Bridge No.</i>	<i>Milepost</i>	<i>Town</i>	<i>Feature Crossed</i>
14	2.07	Danville	VT 2B (Old US 2)



LOOKING NORTH ALONG TRACK



LOOKING EAST FROM BRIDGE



St. Johnsbury
Milepost: 3.37

Bridge
B15

St. Johnsbury
Milepost: 3.37

LOOKING EAST AT BRIDGE



LOOKING SOUTHWEST ALONG TRACK



Virginia Railway Express
A Division of the Commonwealth of Virginia
1000 North Main Street
Richmond, Virginia 23219

Bridge
B16

Danville
Milepost: 5.43

LOOKING EAST ALONG TRACK



LOOKING SOUTHEAST AT BRIDGE

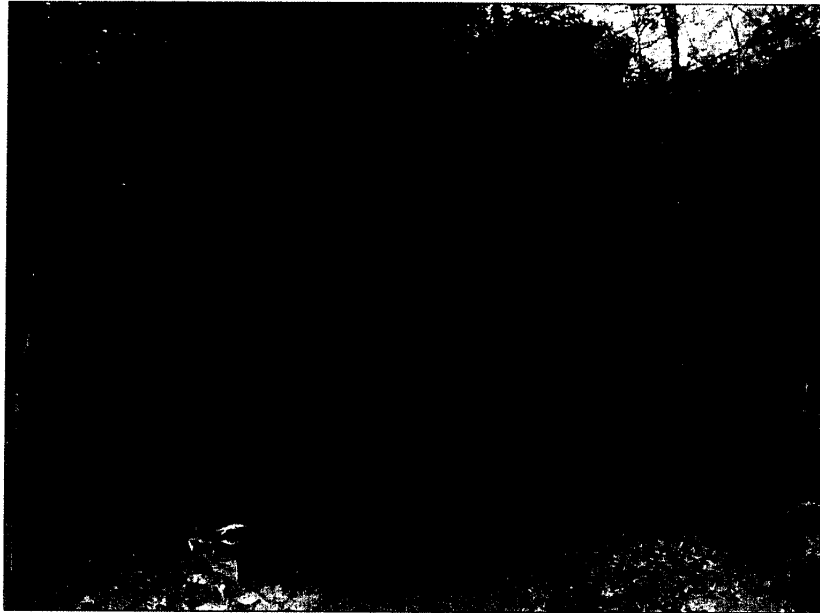


City of Danville
Department of Public Works
Division of Transportation
100 North Main Street
Danville, VA 22026
(540) 790-1234

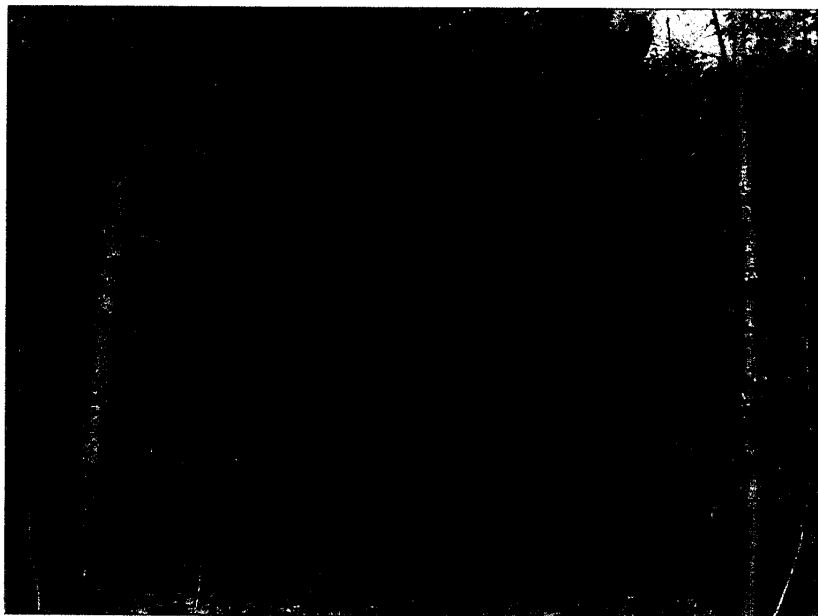
Bridge
B17

Danville
Milepost: 6.03

LOOKING NORTH AT BRIDGE



LOOKING NORTH AT BRIDGE



11-11-1988

11-11-1988
11-11-1988
11-11-1988
11-11-1988

Bridge
B18

Danville
Milepost: 7.87

<i>Bridge No.</i>	<i>Milepost</i>	<i>Town</i>	<i>Feature Crossed</i>
20	9.29	Danville	Town Highway #60



<i>Bridge No.</i>	<i>Milepost</i>	<i>Town</i>	<i>Feature Crossed</i>
20	9.29	Danville	Town Highway #60



NO PICTURES AVAILABLE



Bridge
B23

Danville
Milepost: 12.00

NO PICTURES AVAILABLE



Bridge
B25

Danville
Milepost: 13.67

LOOKING NORTH ALONG TRACK

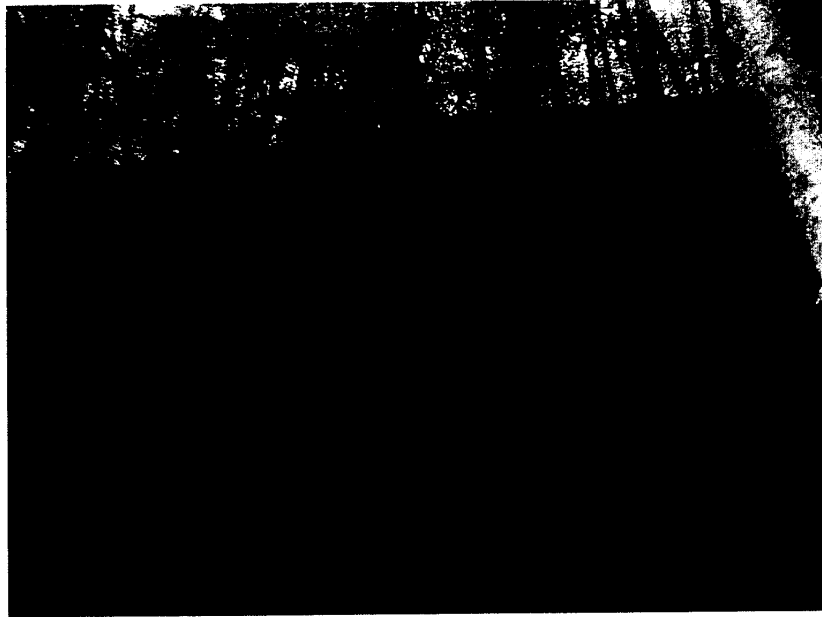


1. The track is shown in the foreground, leading towards a dense forest of trees in the background.

2. The track is shown in the foreground, leading towards a dense forest of trees in the background.

Bridge
B27A

Walden
Milepost: 20.05



Walden
Milepost: 22.56

LOOKING SOUTHWEST AT BRIDGE

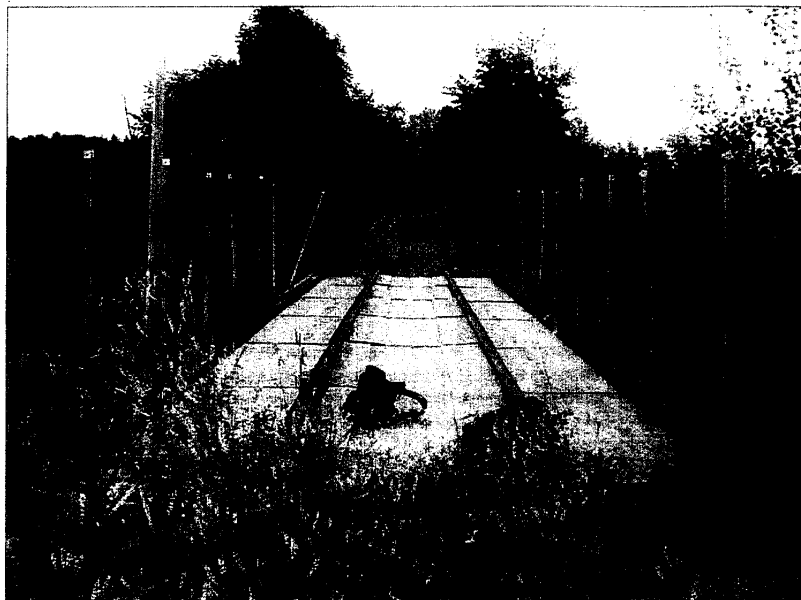


VT. DEPARTMENT OF TRANSPORTATION
BUREAU OF HIGHWAYS
RTE. 100, MOUNTAIN GATE, VT. 05141

Bridge
B30

Walden
Milepost: 23.85

LOOKING EAST ALONG TRACK



LOOKING NORTH AT BRIDGE



Bridge
B31

Walden
Milepost: 23.89

THE UNIVERSITY OF CHICAGO

Hardwick
Milepost: 26.74

LOOKING NORTHEAST ALONG TRACK



LOOKING NORTHWEST AT BRIDGE



16 04000

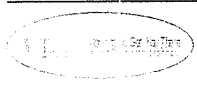
Bridge
B34

Hardwick
Milepost: 27.49

LOOKING WEST ALONG TRACK



LOOKING AT NORTH SIDE OF BRIDGE



Bridge
B35

Greensboro
Milepost: 27.97

LOOKING NORTH ALONG TRACK



LOOKING AT EAST SIDE OF BRIDGE



Bridge
B36

Hardwick
Milepost: 29.42

LOOKING NORTH AT BRIDGE



LOOKING WEST ALONG TRACK

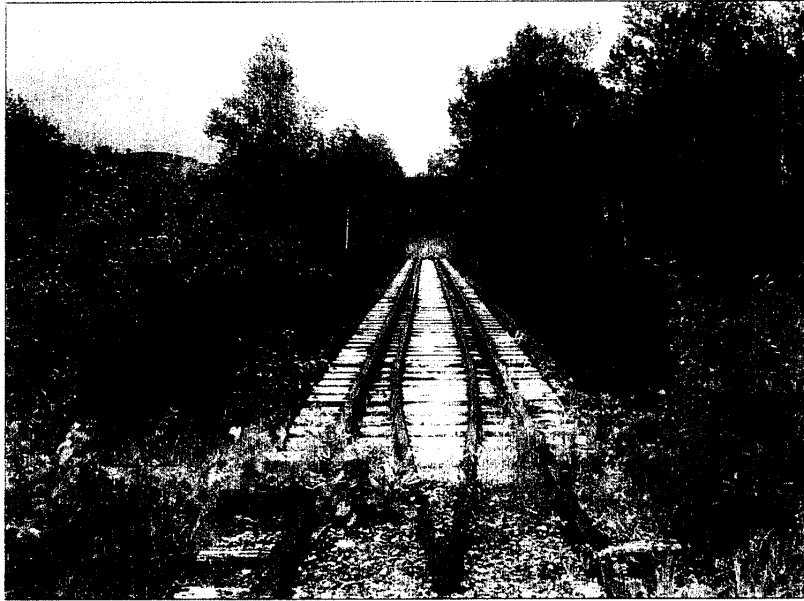


U.S. DEPARTMENT OF
TRANSPORTATION
BUREAU OF PUBLIC ROADS
WASHINGTON, D.C. 20590

Bridge
B39

Hardwick
Milepost: 33.97

LOOKING WEST ALONG TRACK



LOOKING NORTH AT BRIDGE



Bridge
B40

Hardwick
Milepost: 34.21

LOOKING NORTHWEST ALONG TRACK



LOOKING AT SOUTH SIDE OF BRIDGE



U.S. DEPARTMENT OF AGRICULTURE
BUREAU OF PLANT INDUSTRY
WASHINGTON, D.C.

Bridge
B41

Hardwick
Milepost: 35.60

LOOKING NORTH AT BRIDGE



LOOKING NORTH AT BRIDGE



VERMONT
DEPARTMENT OF
TRANSPORTATION
100 WATER STREET
MONTPELIER, VT 05602
PHONE 802/241-5800

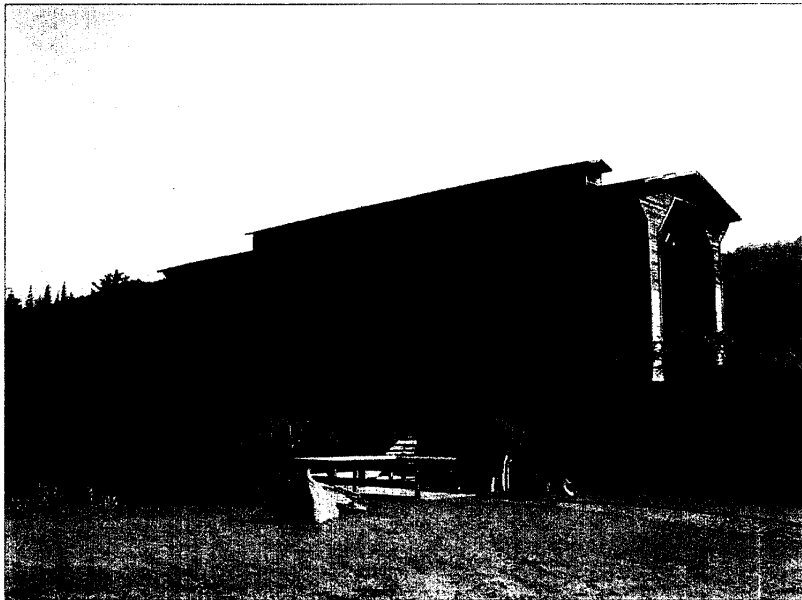
Bridge
B42

Hardwick
Milepost: 37.26

LOOKING WEST ALONG TRACK



LOOKING SOUTH AT BRIDGE



Bridge
B45

Wolcott
Milepost: 39.40

LOOKING NORTHWEST AT TRACK



LOOKING WEST AT BRIDGE



U.S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE

Bridge
B46

Wolcott
Milepost: 39.69

LOOKING NORTH AT BRIDGE



LOOKING AT WEST ABUTMENT



Bridge
B47

Wolcott
Milepost: 40.99

LOOKING SOUTH AT BRIDGE



LOOKING NORTHWEST ALONG TRACK



U.S. Army
Corps of Engineers
District Office
St. Louis, Missouri

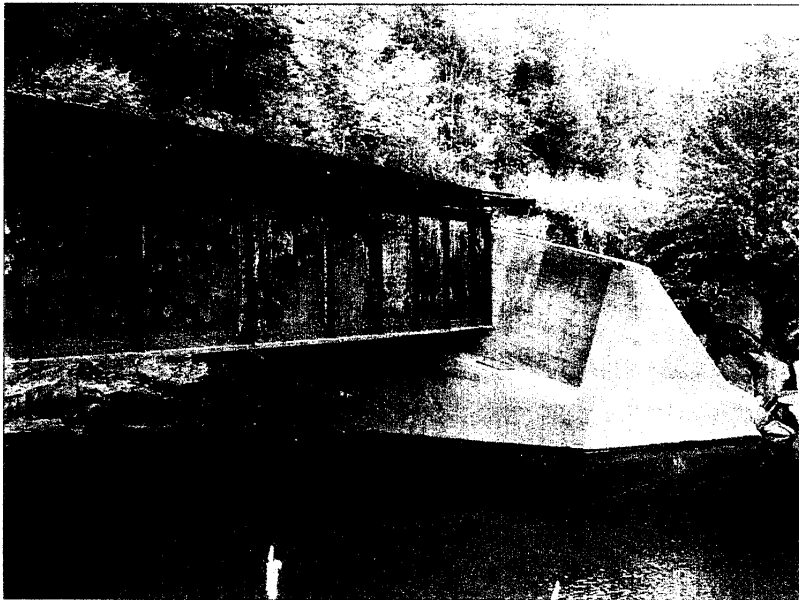
Bridge
B48D

Wolcott
Milepost: 42.70

LOOKING EAST ALONG TRACK



LOOKING SOUTHWEST AT BRIDGE



Bridge
B49

Wolcott
Milepost: 43.15

LOOKING NORTHWEST ALONG TRACK



LOOKING AT TRACK ON BRIDGE

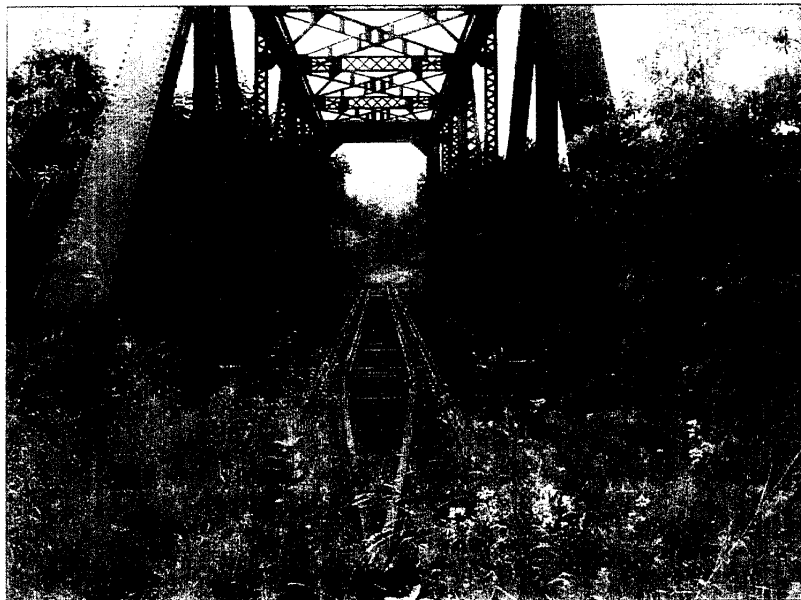


U.S. GEOLOGICAL SURVEY
WATER RESOURCES DIVISION
BOSTON FIELD OFFICE
BOSTON, MASSACHUSETTS 02109

Bridge
B51

Wolcott
Milepost: 43.69

LOOKING NORTHWEST ALONG TRACK



LOOKING SOUTHEAST ALONG TRACK



Bridge
B52

Wolcott
Milepost: 44.32

LOOKING WEST ALONG TRACK



LOOKING NORTH AT BRIDGE



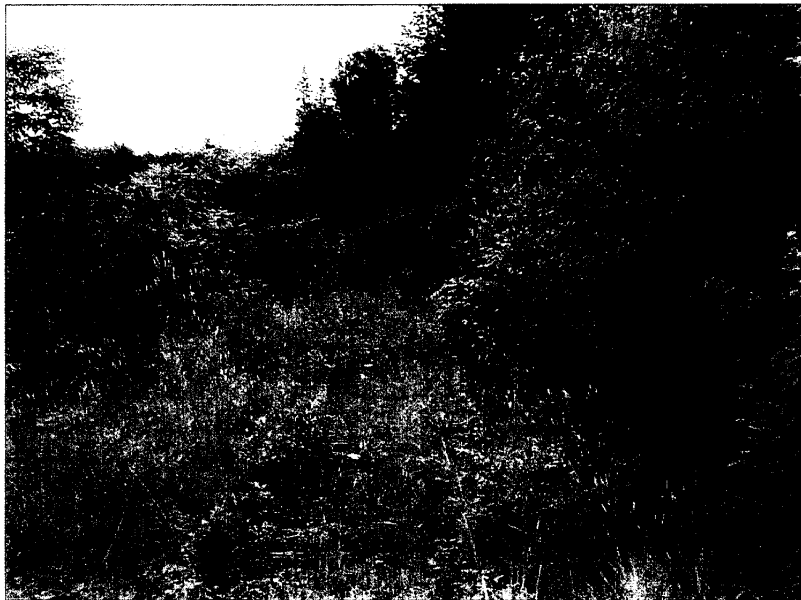
Bridge
B53

Wolcott
Milepost: 45.32

LOOKING NORTH AT BRIDGE



LOOKING EAST ALONG TRACK



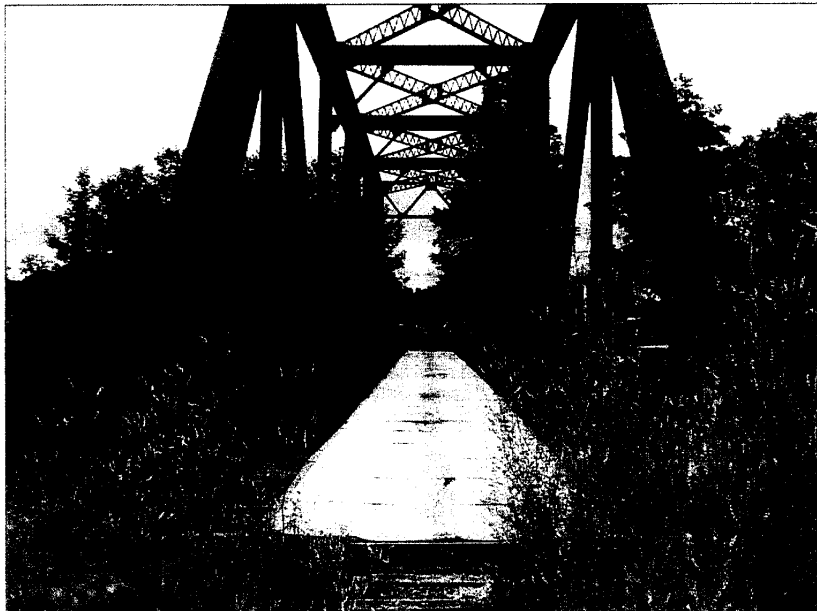
Bridge
B54

Morrisville
Milepost: 47.26

LOOKING NORTH AT BRIDGE



LOOKING EAST ALONG TRACK



U.S. DEPARTMENT OF AGRICULTURE
BUREAU OF RECLAMATION
MORRISVILLE, N.C.

Bridge
B55

Morrisville
Milepost: 49.10

LOOKING SOUTH AT BRIDGE



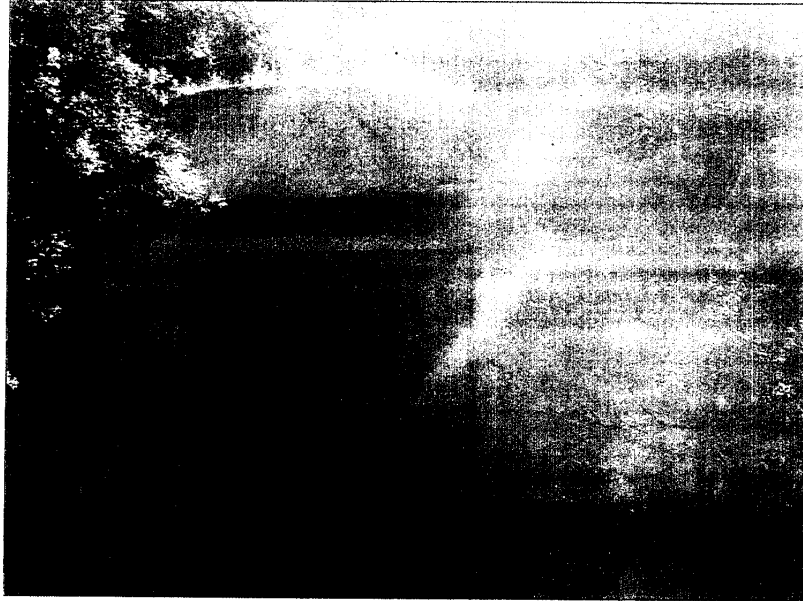
LOOKING EAST ALONG TRACK



Bridge
B56

Morrisville
Milepost: 50.39

LOOKING NORTHEAST AT BRIDGE



LOOKING NORTHEAST AT BRIDGE



Bridge
B57

Hyde Park
Milepost: 51.45

Bridge No.	Milepost	Town	Feature Crossed
58	51.59	Hyde Park	Town Highway #2



Sheet 1
Sheet Name : DSCN0009



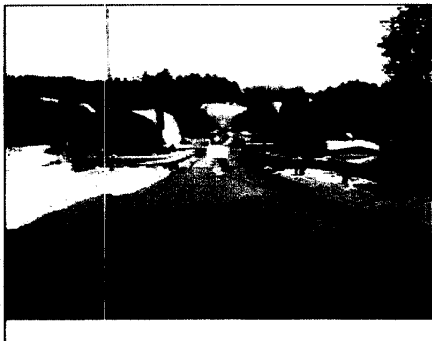
Sheet 2
Sheet Name : DSCN0002

Sheet 3
Sheet Name : DSCN0003

Bridge No.	Milepost	Town	Feature Crossed
58	51.59	Hyde Park	Town Highway #2



Sheet 4
Sheet Name : DSCN0004



Sheet 5
Sheet Name : DSCN0005



Sheet 6
Sheet Name : DSCN0006

Bridge No.	Milepost	Town	Feature Crossed
58	51.59	Hyde Park	Town Highway #2



Sheet 7
Sheet Name : DSCN0007



Sheet 8
Sheet Name : DSCN0008

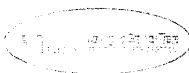
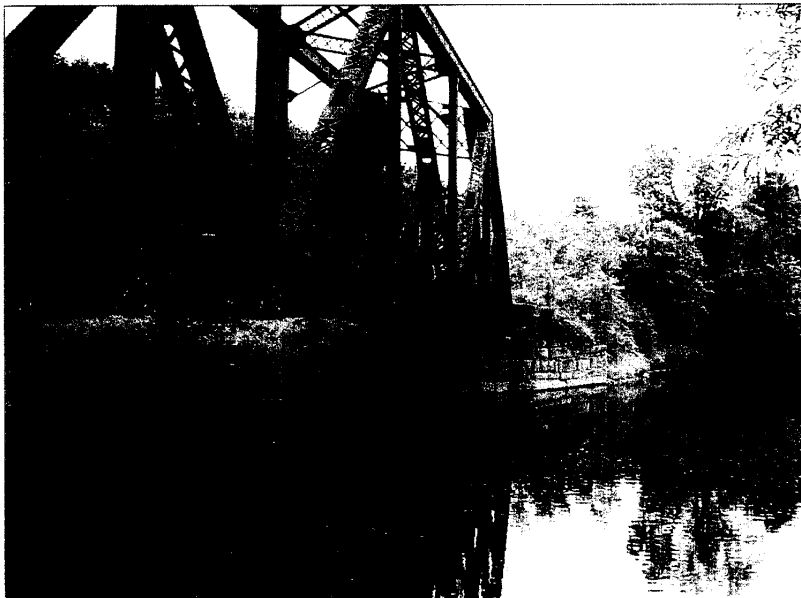


Sheet 9
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LOOKING WEST ALONG TRACK



LOOKING EAST AT BRIDGE ABUTMENT



Bridge
B59

Johnson
Milepost: 54.98

LOOKING AT TRACK ON BRIDGE



LOOKING AT TRACK ON BRIDGE



U.S. DEPARTMENT OF AGRICULTURE
BUREAU OF PLANT INDUSTRY
WASHINGTON, D.C.

Bridge
B62

Johnson
Milepost: 58.45

LOOKING WEST ALONG TRACK



LOOKING AT WEST ABUTMENT



Bridge
B63

Johnson
Milepost: 59.09

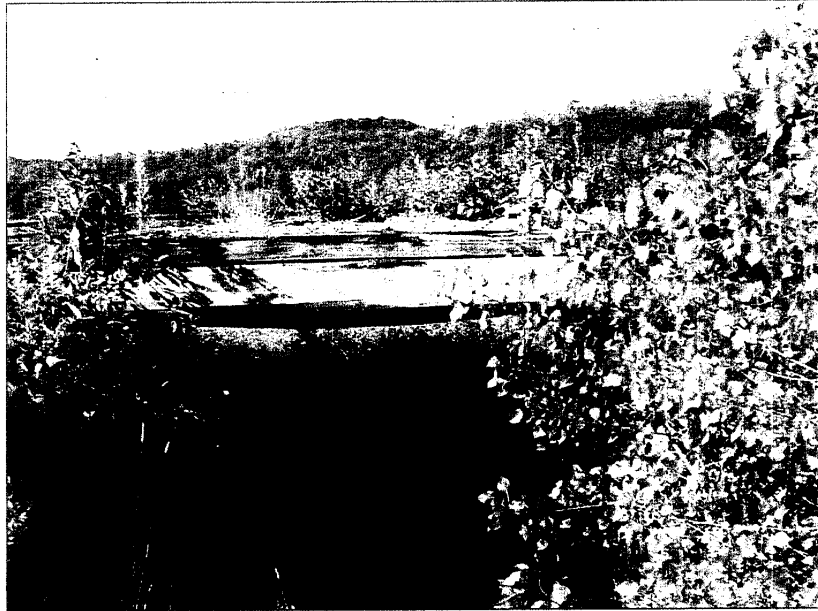
LOOKING WEST ALONG TRACK



Bridge
B65

Johnson
Milepost: 59.63

LOOKING WEST AT BRIDGE



LOOKING AT SOUTH ABUTMENT



Bridge
B67A

Cambridge
Milepost: 61.68



LOOKING WEST ALONG TRACK



LOOKING SOUTH AT BRIDGE

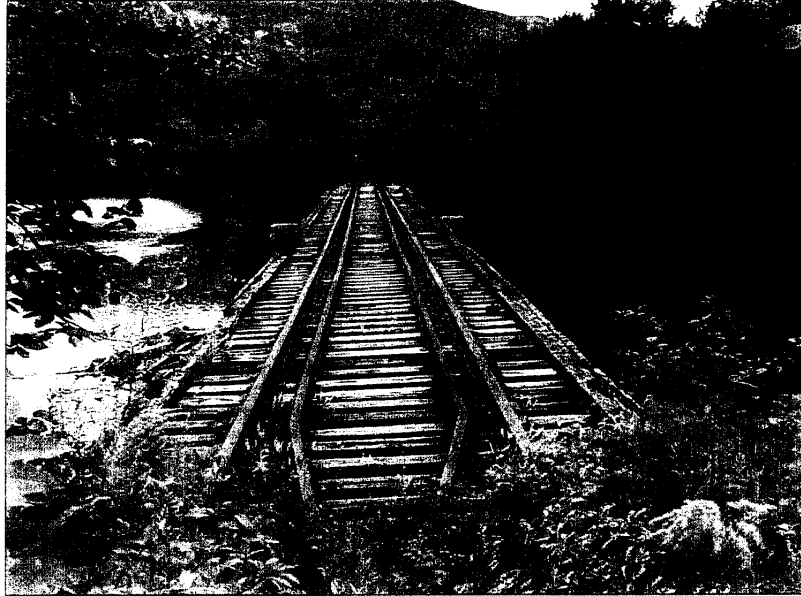


U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON, D.C. 20250

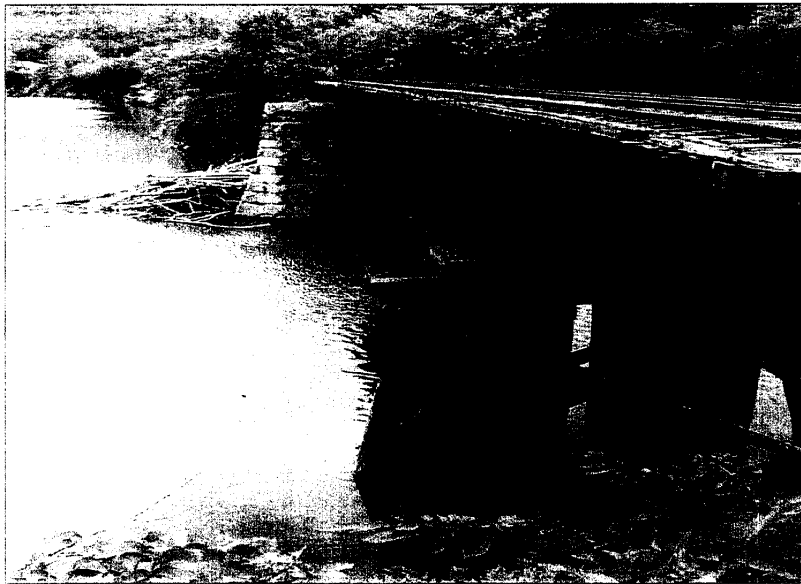
Bridge
B67Q

Cambridge
Milepost: 63.47

LOOKING EAST ALONG TRACK



LOOKING AT NORTH SIDE OF BRIDGE



BRIDGE B68

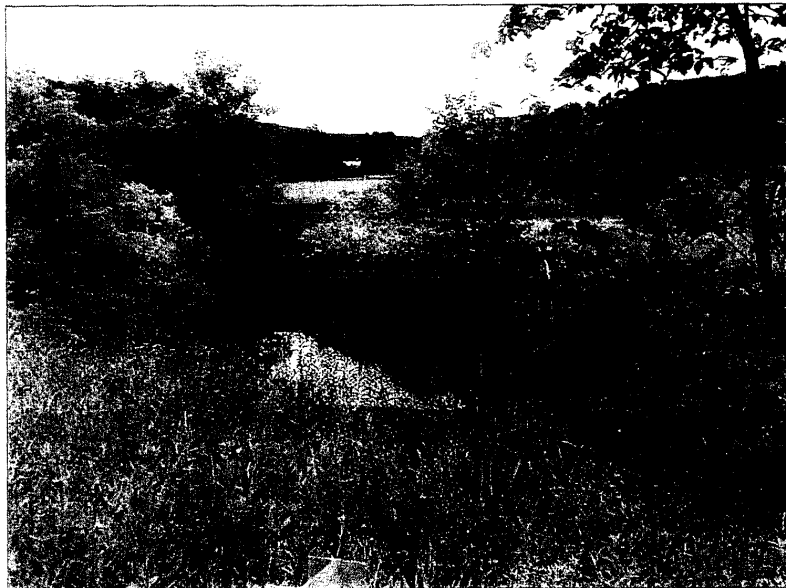
Bridge
B68

Cambridge
Milepost: 64.62

LOOKING WEST ALONG TRACK



LOOKING SOUTH AT BRIDGE



Bridge
B70

Fletcher
Milepost: 68.86

LOOKING WEST ALONG TRACK



LOOKING AT SOUTH SIDE OF BRIDGE

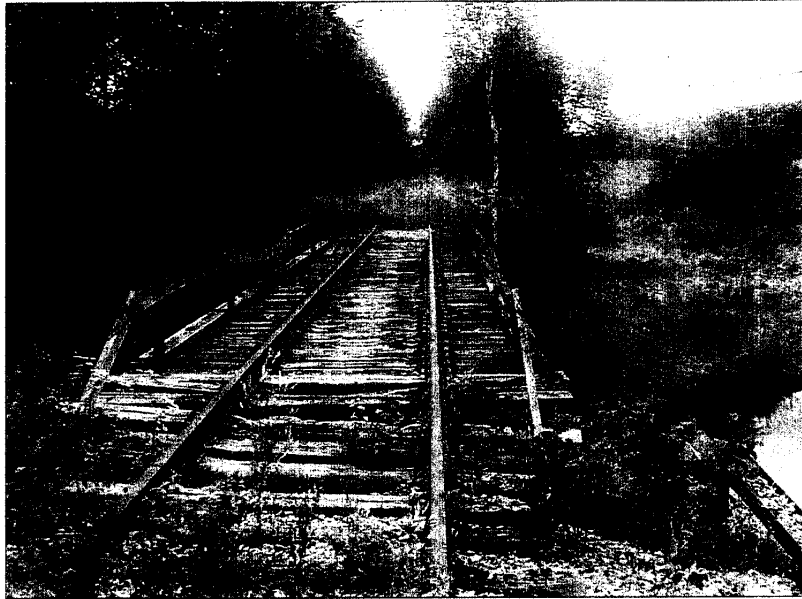


U.S. DEPARTMENT OF AGRICULTURE
BUREAU OF PLANT INDUSTRY
WASHINGTON, D.C.

Bridge
B71

Fletcher
Milepost: 68.99

LOOKING NORTH ALONG TRACK



LOOKING AT EAST SIDE OF BRIDGE



Bridge
B77

Fairfield
Milepost: 73.10

LOOKING WEST ALONG TRACK



LOOKING SOUTH AT BRIDGE



U.S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE
NATIONAL SYSTEM OF PUBLIC LANDS

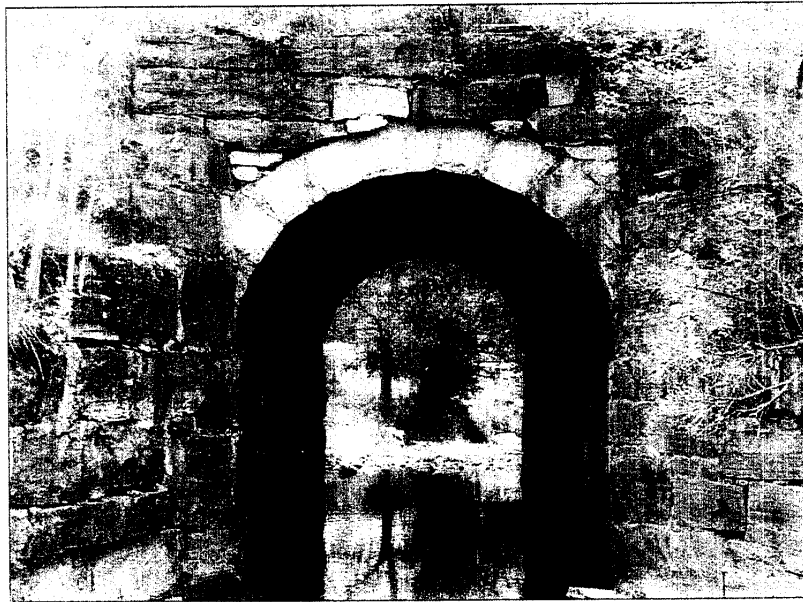
Bridge
B81

Fairfield
Milepost: 74.27

LOOKING SOUTH AT BRIDGE



LOOKING SOUTH AT BRIDGE



Bridge
B82

Fairfield
Milepost: 74.87



LOOKING WEST ALONG TRACK



LOOKING AT SOUTH SIDE OF BRIDGE



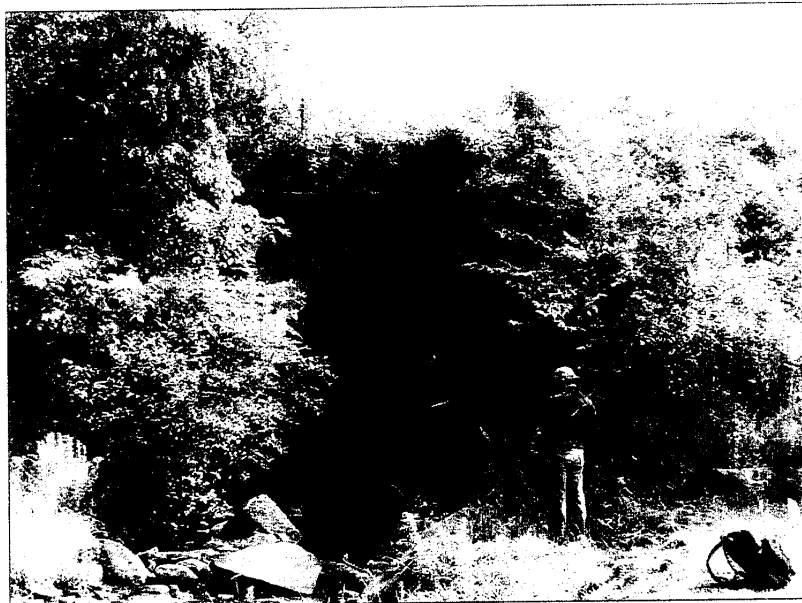
U.S. DEPARTMENT OF AGRICULTURE
BUREAU OF PLANT INDUSTRY
WASHINGTON, D.C.

PLANT INDUSTRY
BUREAU OF PLANT INDUSTRY
WASHINGTON, D.C.

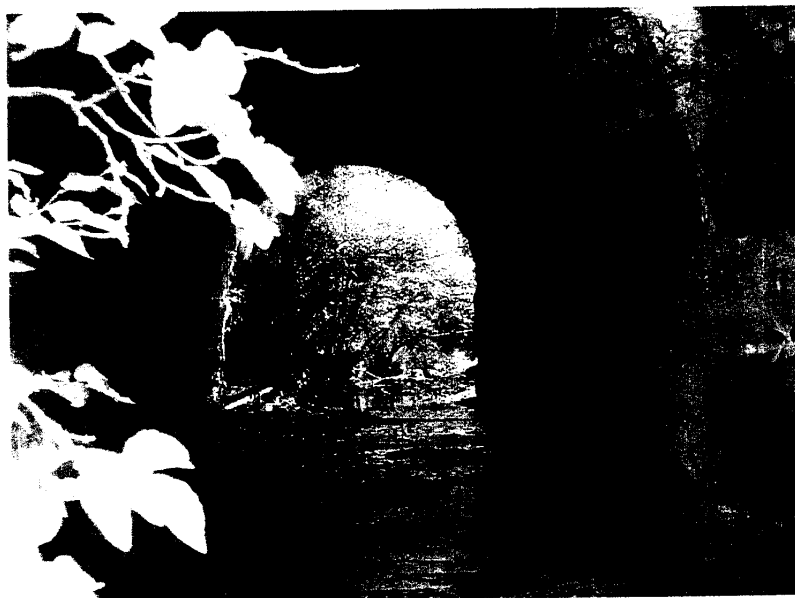
Bridge
B85

Fairfield
Milepost: 75.68

LOOKING WEST AT BRIDGE



LOOKING WEST THROUGH BRIDGE

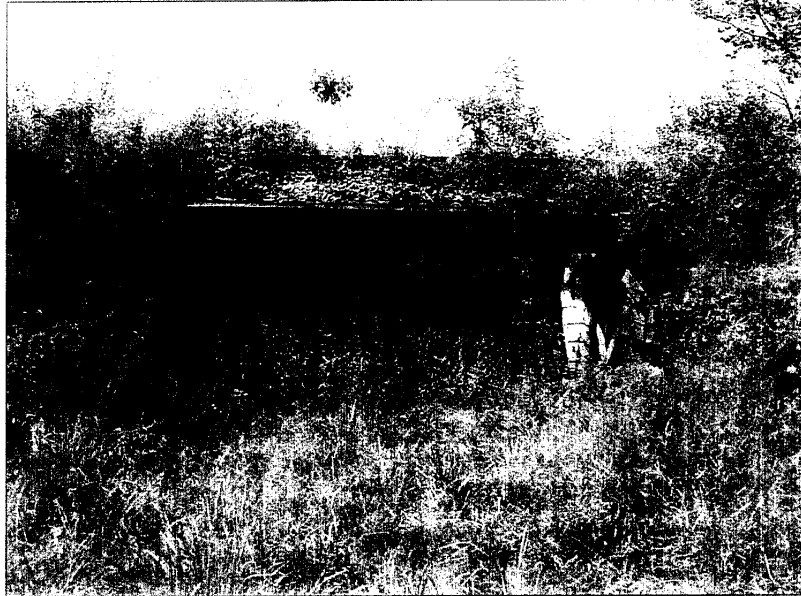


U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WILSON, COLORADO
1964

Bridge
B90

Fairfield
Milepost: 81.25

LOOKING WEST AT BRIDGE



LOOKING AT NORTH ABUTMENT



16-10-1981
16-10-1981
16-10-1981
16-10-1981
16-10-1981

Bridge
B91

Fairfield
Milepost: 81.94

LOOKING NORTH ALONG TRACK

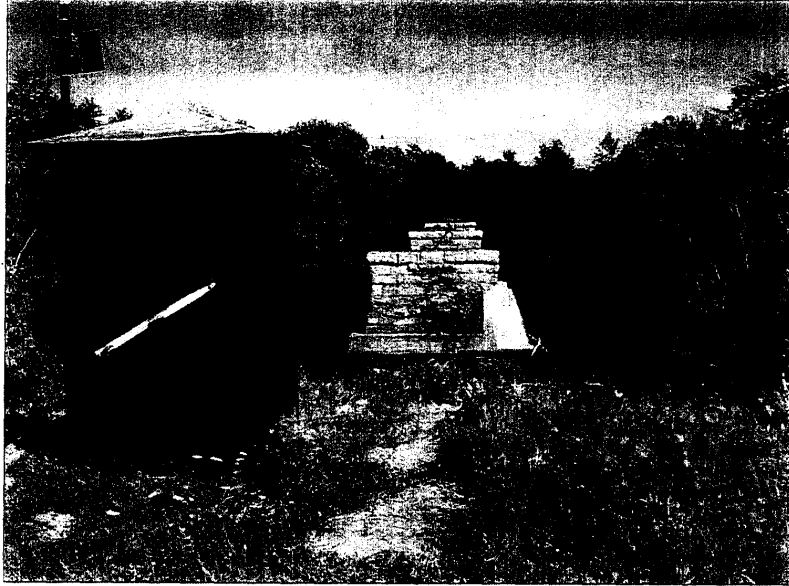


2025 08 07 10:00
Sheldon

Bridge
B93

Sheldon
Milepost: 84.23

LOOKING EAST ALONG TRACK



LOOKING SOUTH AT BRIDGE



Bridge
-B96 B98

Swanton
Milepost: 95.90

APPENDIX C
TO
HISTORIC REPORT

(Dates of Construction of Railroad-owned Structures
that are 50 Years Old or Older)

(49 C.F.R. § 1105.8(d)(1))

**LAMOILLE VALLEY RAILROAD COMPANY
BRIDGES WITH SPAN OF 10 FEET OR MORE**

Bridge No.	Mile Post	Location	Feature Crossed	Number of Spans	Length in Feet	Type of Bridge	Year Built
	0.62	St. Johnsbury	Highway (TH # 371) Over				1973
11	0.68	St. Johnsbury	Highway (US 5; TH #3) Over	1		Corrugated Pipe	1973
12	0.94	St. Johnsbury	Sleepers River	3	151.0'	Deck Plate Girder	1980
13	1.60	St. Johnsbury	Highway (Mt. Vernon St., TH #68) Under	1	N/A	Superstructure and easterly abutment removed; only westerly abutment intact	1941
—	1.70	St. Johnsbury	Highway (I-91) Over				1973
14	2.07	St. Johnsbury	Highway (VT 2B) Over	3	129.0'	Steel I-Beam	1936
15	3.37	St. Johnsbury	Cattle Pass	1	12.0'	Steel I-Beam	Unknown
16	3.53	St. Johnsbury	Cattle Pass			Conc. Rail Top	Unknown
16L	5.43	Danville	Highway (VT 2B) Under	1	36.0'	Thru-Plate Girder	1915
17	6.03	Danville	Highway (TH 63) Under	1	23.0'	14" I-Beam	1941
18	7.86	Danville	Cattle Pass	1	12.0'	Conc. Slab	Unknown
20	9.29	Danville	Highway (TH #60) Over	1	36.0'	Wood/Steel Stringer	Unknown
23	12.29	Danville	Unnamed Stream	1	16.0'	Concrete / Granite Culvert	Unknown
25	13.68	Danville	Unnamed Stream	1	16.0'	Concrete/ Granite Culvert	Unknown
27	16.95	Danville-Walden	Joe's Brook	1	44.0'	Steel Pile Bent	1980
27A	20.05	Walden	Highway (VT 15) Under	1	N/A	Bridge and abutments removed 1996	1916
28	20.35	Walden	Cattle	1	28.0'	Steel Pile Bent	1981
29	22.56	Walden	Morrill Brook	1	20.0'	Stone Arch	1891
30	23.85	Walden	Farm Road Under	1	11.0'	Conc. Slab	Unknown

Bridge No.	Mile Post	Location	Feature Crossed	Number of Spans	Length in Feet	Type of Bridge	Year Built
31	23.89	Walden	Highway (TH #12) Under	3	51.0'	Timber Frame Bent with Steel Stringers	1942
33	26.73	Hardwick	Farm Road Under			Removed; replaced with grade crossing	1919
34	27.49	Hardwick	Highway (TH #4) Under; Stannard Br.	1	48.5'	Deck Plate Girder	1928
35	27.97	Greensboro	Lamoille R.	2	90.0'	Pile Trestle I-Beams	1940
36	29.42	Hardwick	Lamoille R.	1	45.0'	30" Steel I-Beam	1935
38	33.31	Hardwick	Lamoille R.	1	108.0'	Deck Plate Girder	1959
39	33.97	Hardwick	Cattle Pass	1	14.0'	Timber Pile Bent; Ballasted Deck	1952
40	34.21	Hardwick	Lamoille R.	2	181.0'	Thru-Plate Girder	1928
41	35.60	Hardwick	Lamoille R.	1	100.4'	Thru-Plate Girder	1917
42	37.26	Hardwick	Unnamed Stream	1	12.0'	Conc. Slab	1946
45	39.14	Wolcott	Lamoille R.	1 (C/B)	103.0'	Covered Bridge	1908
				2 (D/P/G)	40.0' 48.0'	Deck Plate Girder	1968
46	39.69	Wolcott	Unnamed Stream	1	17.0'	Steel I-Beams	1953
—	40.58	Wolcott	Highway (VT 15) Over	1		Reinforced Concrete	1984
47	40.99	Wolcott	Lamoille R.	1	113.0'	Warren Truss	1917
48	41.92	Wolcott	Lamoille R.	2	125.0'	Deck Plate Girder (Pile Bent)	1968
48D	42.70	Wolcott	Cattle Pass	1	10.0'	Rail Stringers	Unknown
49	43.15	Wolcott	Lamoille R.	1	51.0'	Deck Plate Girder	1934
50	42.70	Wolcott	Cattle Pass	1	12.0'		Unknown
51	43.69	Wolcott	Unnamed Stream	1	12.0'	16" I-Beam	Unknown
52	44.34	Wolcott	Lamoille R.	1	136.0'	Thru Steel Truss	1928
53	45.32	Wolcott	Stream	1	44.0'	30" I-Beam	1935
54	47.26	Morristown	Unnamed Stream	1	12.0'	Stone Arch	1892
55	49.10	Morristown	Lamoille R.	1	152.0'	Thru Steel Truss	1934

Bridge No.	Mile Post	Location	Feature Crossed	Number of Spans	Length in Feet	Type of Bridge	Year Built
56	50.39	Morristown	Highway (TH #11) Under	1	21.0'	24" I-Beam	1939
57	51.45	Morristown-Hyde Park	Unnamed Stream	1	15.0'	Rail-Top Conc. Box	Unknown
58	51.59	Hyde Park	Highway (TH #2) Over	1	54.0'	Temporary (Bailey) Bridge	1980
59	54.98	Johnson	Lamoille R.	1	192.0'	Thru Steel Truss	1915
63	59.09	Johnson	Smith's Brook	1	53.5'	Thru-Plate Girder	1913
65	59.63	Johnson	(Filled-in) Channel	1	15.8'	15" I-Beam	1929
66	60.58	Cambridge	Lamoille River	2	21.0'	Structural Plate Pipe Arches (x 2)	1981
67A	61.68	Cambridge	Cattle Pass	1	14.0'	Timber Pile Bent w/ Timber Stringers	Unknown
67Q	63.47	Cambridge	Stream	1	9.0'	Timber Stringers	Unknown
68	64.62	Cambridge	Lamoille River	5	244.0'	Deck Plate Girder; I-Beam	1937
70	68.86	Fletcher	Black Creek	1	35.8'	36" I-Beam	1936
71	68.99	Fletcher	Black Creek	1	33.0'	Deck Plate Girder	1932
72	69.17	Fletcher				Concrete Pipe Culvert	Unknown
73	69.36	Fletcher	Black Creek	1	39.0'	Steel Pile Bent	1980
76	71.69	Bakersfield	Black Creek	2	65.0'	Steel Pile Bent	1980
77	73.10	Bakersfield	Black Creek	1	56.0'	Deck Plate on Timber Beam	1952
80	74.17	Fairfield	Black Creek	3	45.0'	14" Corr. Galv. Metal Pipes (x 3)	1981
81	74.27	Fairfield	Unnamed Stream	1	17.3'	Conc. Slab	1934
82	74.89	Fairfield	Unnamed Stream; Cattle Pass	1	13.0'	Stone Arch	1889
83	75.31	Fairfield	Black Creek	2	148.9'	Deck Plate Girder	1967
85	75.68	Fairfield	Unnamed Stream	1	20.0'	Deck Plate Girder	1933
87	78.17	Fairfield	Fairfield River	3	110.0'	Steel Pile Bent	1980
88	79.22	Fairfield	Black Creek	3	96.0'	Steel Pile Bent	1980
90	81.25	Fairfield	Unnamed Stream	1	12.0'	Stone Arch	1891
91	81.94	Fairfield	Cattle Pass	1	14.0'	Timber Pile Bent; Ballasted Deck	1952
93	84.23	Sheldon	Missisquoi R.	3	399.0'	Thru Steel Truss	1931

<i>Bridge No.</i>	<i>Mile Post</i>	<i>Location</i>	<i>Feature Crossed</i>	<i>Number of Spans</i>	<i>Length in Feet</i>	<i>Type of Bridge</i>	<i>Year Built</i>
95	85.10	Sheldon	Cattle Pass	1	41.5'	Steel Pile Bent	1980
—	94.59	Swanton	Highway (I-89) Over				c. 1965
98	95.84	Swanton	Missisquoi R.	3	276.0'	Superstructure burned; abutments and piers intact	1927

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